

SEVENTY-SIXTH DAY

(Monday, May 29, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Homer Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hale
Allen	Hamilton
Allison	Hankamer
Alsup	Hardeman
Anderson	Hardin
Bailey	Harp
Baker	Harper
of Fort Bend	Harrell of Bastrop
Baker of Grayson	Harrell of Lamar
Bell	Harris
Blankenship	Hartzog
Boethel	Heflin
Bond	Howard
Boyd	Howington
Boyer	Hull
Bradford	Hunt
Bray	Isaacks
Bridgers	Johnson of Ellis
Broadfoot	Johnson of Tarrant
Brown of Cherokee	Kennedy
Brown	Kern
of Nacogdoches	Kerr
Bundy	Kersey
Burkett	Kinard
Burney	King
Cauthorn	Langdon
Celaya	Lehman
Chambers	Leonard
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Coleman	Loggins
Colquitt	London
Colson, Mrs.	Mays
Cornett	McAlister
Corry	McDaniel
Crossley	McDonald
Daniel	McFarland
Davis of Jasper	McMurry
Derden	McNamara
Dickison	Mohrmann
Dickson	Monkhouse
Donaghey	Montgomery
Dowell	Morris
Dwyer	Newell
Faulkner	Nicholson
Felty	Oliver
Fuchs	Pace
Galbreath	Petsch
Gilmer	Pevehouse
Goodman	Piner
Gordon, Mrs.	Pope

Ragsdale	Tarwater
Reader of Bexar	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Roach	Vale
Roberts	Vint
Robinson	Voigt
Russell	Weldon
Schuenemann	Wells
Segrist	Westbrook
Shell	White
Skiles	Wilson
Smith of Frio	Winfree
Smith of Hopkins	Wood
Stinson	Worley
Stoll	Wright
Talbert	

Absent—Excused

Bradbury	Keith
Davis of Upshur	Riviere
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	Waggoner

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, as we face the complex tasks before us at this time we can but be perplexed and uncertain as to purposes and principles. Wilt Thou lead us upon solid ground to the certainties of truth and righteousness, that it may be well with us and with our people. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Fielden for today, on motion of Mr. Lehman.

Mr. Holland for today, on account of important State business, on motion of Mr. Tarwater.

Mr. Spencer for today, on motion of Mr. Weldon.

Mr. Riviere for today, on motion of Mr. Voigt.

Mr. Ferguson for today, on motion of Mr. Lock.

Mr. Waggoner for today, on motion of Mr. Wood.

Mr. Davis of Upshur for today, on motion of Mr. Roach.

Mr. Bradbury for today, on motion of Mr. Burney.

Mr. Ragsdale for today, on motion of Mr. Voigt.

The following Members were granted leaves of absence on account of illness:

Mr. Dean for today, on motion of Mr. Little.

Mr. Keith for today, on account of illness in his family, on motion of Mr. Thornton.

BILL LAID ON THE TABLE

On motion of Mr. Alsup, House Bill No. 15 was laid on the table.

MOTION TO INSTRUCT COMMITTEE ON LABOR

Mr. Dickison moved that the Committee on Labor be instructed to report Senate Bill No. 325 to the House by 2:30 o'clock p. m., today.

Mr. Anderson moved to table the motion by Mr. Dickison.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—49

Anderson	Hunt
Bailey	Johnson of Tarrant
Baker of Grayson	Kennedy
Bond	Kerr
Boyd	Kersey
Boyer	Leyendecker
Bridgers	Mays
Broadfoot	McFarland
Brown of Cherokee	McMurry
Brown	Mohrmann
of Nacogdoches	Newell
Burkett	Pace
Cleveland	Petsch
Colquitt	Pevehouse
Cornett	Reader of Bexar
Corry	Reaves
Crossley	Roach
Dickson	Schuenemann
Dowell	Shell
Felty	Skiles
Hankamer	Stoll
Hardeman	Thornberry
Harper	Thornton
Heflin	Vint
Howington	Weldon

Nays—38

Allison	Bradford
Alsup	Burney
Baker	Cauthorn
of Fort Bend	Clark

Cockrell	McAlister
Coleman	McNamara
Daniel	Monkhouse
Davis of Jasper	Montgomery
Derden	Nicholson
Dickison	Pope
Donaghey	Reed
Dwyer	Rhodes
Fuchs	Robinson
Galbreath	Russell
Hardin	Smith of Frio
Harp	Wells
Harrell of Bastrop	Winfree
Johnson of Ellis	Worley
Kinard	Wright
King	

Present—Not Voting

Allen	McDaniel
Boethel	McDonald
Bray	Morris
Colson, Mrs.	Reader of Erath
Faulkner	Roberts
Gilmer	Segrist
Gordon, Mrs.	Smith of Hopkins
Hale	Talbert
Harrell of Lamar	Tarwater
Isaacks	Tennant
Kern	Turner
Langdon	Westbrook
Lehman	White
Lock	Wood

Absent

Bell	Little
Blankenship	Loggins
Bundy	London
Celaya	Oliver
Chambers	Piner
Goodman	Ragsdale
Hamilton	Stinson
Harris	Taylor
Hartzog	Vale
Howard	Voigt
Hull	Wilson

Absent—Excused

Bradbury	Keith
Davis of Upshur	Riviere
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	Waggoner

BILL RE-REFERRED

Mr. Kersey moved that Senate Bill No. 395 be withdrawn from the Committee on Common Carriers and referred to the Committee on Labor.

The motion prevailed.

MOTION TO RE-REFER SENATE BILL NO. 325

Mr. Dwyer moved that Senate Bill No. 325 be withdrawn from the Committee on Labor and referred to the Committee on State Affairs.

Mr. Felty raised a point of order, on further consideration of the motion by Mr. Dwyer, at this time, on the ground that the routine motion period has expired.

The Chair overruled the point of order.

Mr. Felty moved to table the motion to re-refer.

The motion to table prevailed.

RELATIVE TO HOUSE BILL NO. 126

Mr. Anderson moved to suspend all necessary rules for the purpose of making a motion to reconsider the vote by which House Bill No. 126 failed to pass to engrossment.

Mr. Petsch raised a point of order, on further consideration of the motion by Mr. Anderson, at this time, on the ground that the motion violates Section 34 of Article III of the constitution in that the bill has already been defeated.

The Chair overruled the point of order.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—69

Bailey	Galbreath
Baker	Goodman
of Fort Bend	Hale
Baker of Grayson	Harp
Bell	Harper
Brown of Cherokee	Harrell of Lamar
Brown	Howington
of Nacogdoches	Hull
Bundy	Hunt
Burkett	Isaacks
Burney	Johnson of Ellis
Cauthorn	Johnson of Tarrant
Chambers	Kennedy
Clark	Kern
Cockrell	Kerr
Coleman	Kersey
Cornett	King
Crossley	Lehman
Daniel	Lock
Dickson	Loggins
Dowell	London
Faulkner	Mays

McMurry	Russell
Mohrmann	Segrist
Monkhouse	Smith of Frio
Montgomery	Smith of Hopkins
Morris	Stinson
Oliver	Thornberry
Pevehouse	Weldon
Piner	Wells
Pope	Westbrook
Reader of Bexar	White
Reader of Erath	Winfree
Reed	Worley
Roach	Wright
Roberts	

Nays—53

Allen	Little
Allison	McAlister
Alsup	McDaniel
Blankenship	McDonald
Boethel	McFarland
Bond	McNamara
Boyd	Newell
Boyer	Nicholson
Bradford	Pace
Bray	Petsch
Bridgers	Rhodes
Broadfoot	Robinson
Cleveland	Schuenemann
Colquitt	Shell
Davis of Jasper	Skiles
Derden	Talbert
Dickison	Tarwater
Donaghey	Taylor
Dwyer	Tennant
Fuchs	Thornton
Gordon, Mrs.	Turner
Hamilton	Vale
Hankamer	Vint
Hardin	Voigt
Harris	Wilson
Kinard	Wood
Leyendecker	

Present—Not Voting

Reaves

Absent

Celaya	Hartzog
Colson, Mrs.	Heflin
Corry	Howard
Felty	Langdon
Gilmer	Leonard
Hardeman	Ragsdale
Harrell of Bastrop	Stoll

Absent—Excused

Bradbury	Keith
Davis of Upshur	Riviere
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	Waggoner

**APPOINTMENT OF CONFERENCE COMMITTEE ON
HOUSE BILL
NO. 580**

Mr. Morris moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 580.

The motion to reconsider prevailed.

Mr. Morris then withdrew the motion that the House concur in Senate amendments to House Bill No. 580.

Mr. Morris moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Chair announced the appointment of the following Conference Committee on House Bill No. 580: Messrs. Morris, Bond, Heflin, Piner and Thornberry.

**INVITING HON. JESSE JONES AND
HON. AMON CARTER TO
ADDRESS THE HOUSE**

Mr. Thornton offered the following resolution:

H. C. R. No. 168, Inviting Hon. Jesse Jones and Hon. Amon Carter to address the House.

Whereas, There is present today in the Capitol two very distinguished visitors, the Honorable Jesse Jones, and Honorable Amon Carter; and

Whereas, The Members of the House of Representatives want to extend to the Honorable Jesse Jones and Honorable Amon Carter an invitation to address the House of Representatives; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Honorable Jesse Jones and Honorable Amon Carter be invited to address the House of Representatives and the Senate in Joint Session today, May 29, 1939, at eleven o'clock.

The resolution was read second time, and was adopted.

In accordance with the above action, the Chair announced the appointment of the following committee to escort the visitors to the Speaker's stand: Messrs. Thornton, Heflin, Howard, Winfree, Montgomery, Johnson of Tarrant, Hull, Bradford, McAlister and Corry.

**RELATIVE TO RESOLUTION
PERIOD**

Mr. Wells moved that the House dispense with the consideration of resolutions, at this time.

The motion prevailed.

**MOTION TO PRINT ADDRESS OF
GOVERNOR W. LEE O'DANIEL**

Mr. Bell moved that the Governor's address as presented on the radio on last May 28, be printed in the Journal.

Mr. Alsup moved to table the motion to print.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—27

Alsup	Newell
Boyd	Reed
Brown	Roach
of Nacogdoches	Roberts
Coleman	Robinson
Daniel	Skiles
Hardeman	Smith of Frio
Heflin	Talbert
Howington	Tarwater
Hull	Tennant
Kern	Thornberry
McAlister	Vint
McNamara	Wilson
Morris	Wood

Nays—99

Allen	Cockrell
Allison	Colquitt
Bailey	Colson, Mrs.
Baker	Cornett
of Fort Bend	Corry
Baker of Grayson	Crossley
Bell	Davis of Jasper
Blankenship	Derden
Boethel	Dickson
Bond	Dickson
Boyer	Donaghey
Bradford	Dowell
Bray	Dwyer
Bridgers	Faulkner
Broadfoot	Felty
Brown of Cherokee	Fuchs
Bundy	Galbreath
Burkett	Gilmer
Burney	Gordon, Mrs.
Cauthorn	Hale
Celaya	Hamilton
Chambers	Hankamer
Clark	Harp
Cleveland	Harper

Harrell of Lamar	Nicholson
Harris	Oliver
Hartzog	Pace
Hunt	Petsch
Isaacks	Pevehouse
Johnson of Ellis	Piner
Johnson of Tarrant	Pope
Kennedy	Reader of Bexar
Kerr	Reader of Erath
Kersey	Rhodes
Kinard	Russell
King	Schuenemann
Langdon	Segrist
Lehman	Shell
Leyendecker	Smith of Hopkins
Little	Stinson
Lock	Taylor
Loggins	Thornton
Mays	Turner
McDaniel	Weldon
McDonald	Wells
McFarland	Westbrook
McMurry	White
Mohrmann	Winfree
Monkhouse	Worley
Montgomery	Wright

Present—Not Voting

Harrell of Bastrop Reaves

Absent

Anderson	Ragsdale
Goodman	Stoll
Hardin	Vale
Howard	Voigt
London	

Absent—Excused

Bradbury	Keith
Davis of Upshur	Riviere
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	Waggoner

Question then recurring on the motion by Mr. Bell, it prevailed.

TEXT OF ADDRESS OF GOVERNOR
W. LEE O'DANIEL

On motion of Mr. Bell, the following address of Governor W. Lee O'Daniel, on last May 28, was ordered printed in the Journal:

"During the campaign I told you folks that when I became your governor that I was going to fight for the rights of the common citizens. Nobody can deny that I am now doing that fighting.

I told you I was going to fight the professional politicians who have been

running this State government for their own selfish gain. I told you that when things got hot I would get on the radio and let you know what is going on.

It is high time now that words be not minced. No politically-minded man would dare say what I intend to say this morning, but this State government is in a terrible mess and getting worse fast and this morning you are hearing the voice of your Governor crying out in the wilderness begging 6,000,000 Texas citizens to hearken and come to the rescue of your State government.

Several years ago the citizens of Texas adopted an amendment to the Constitution extending the time of the Regular Session of the Legislature from 60 days to 120 days, and at the same time they doubled the pay of the Members. This longer legislative session was authorized by the people believing that it would give ample time for all of the considerations of the problems of the State government and avoid the necessity of Special Sessions.

At a cost to taxpayers of between \$750,000 and \$1,000,000 the present Legislature has now been in session 20 days past the 120-day limit fixed under the Constitution and thus far the number one problem has not been solved and no money has been raised to finance old age pensions, teacher retirement, aid for dependent children, aid for the blind, nor has the State raised any money to reduce the \$20,000,000 deficit.

This is a serious situation. It is your responsibility as well as mine and I feel that as your Governor I am obligated to give to you at this critical time an accurate report on what is being done and what is not being done here at Austin.

I hope that the professional politicians of Texas who take great pleasure in condemning everything I recommend regardless of its merit or demerit will please understand that what I am saying today is not in any sense addressed to them.

Of course I know that so far as they are concerned all they can talk about is the "fool pension plan of O'Daniel's."

"All they can say it that if O'Daniel recommends it, then it is wrong—serious condemnation—silly columnist jitters—ridiculous cartoons—all blar-

ing forth in a concerted plan to turn the masses of the people against the Governor who is fighting for the rights of the common citizens, because such a Governor does not fit into their diabolic plunder plot which has gotten this State government into the deplorable condition which now exists.

Now of course life is too short to spend in argument with these people. They are simply selfish obstructionists who would wreck the State government and its institutions if by doing so they thought they would cast reflections upon my administration as Governor.

I am talking today to the average common citizen of Texas, the average taxpayer, and to the outstanding honest business men. I am talking to you people who want the honest facts. I am talking to you who, if you find you are in error, are willing to change your position—to the fellow who if he makes a mistake is willing to do what he can to correct it—to the citizens who prefer to be right 51 per cent of the time, rather than to be consistent and wrong 100 per cent of the time—and to you honest citizens of this caliber I direct these facts, which come from the records of this State.

In order to keep the record straight and in order, if possible, to isolate the professional politician who would have you believe that all of the troubles which the State of Texas now has are chargeable to me, let me enumerate a few things from the record.

When I assumed the office of Governor the deficit in the General Fund amounted to about \$19,000,000. That \$19,000,000 was spent before I became Governor. Don't blame me for that. The only connection I can have with that is to try to raise the money to pay for that \$19,000,000 dead horse which died before I was elected. The professional politicians rode him to death.

When I came into the Governor's office I found that in order to pay the very meager pensions which we are now paying to the old people we had borrowed the money from the banks and we now owe them in round figures \$3,000,000—don't blame me for that debt.

Before I became Governor you people adopted an amendment to the Constitution directing the Legislature

to care for the indigent blind in this State. To pay that obligation requires \$1,000,000 during the next biennium.

Before I became Governor you people adopted an amendment to the Constitution authorizing the Legislature to spend \$1,500,000 annually to care for dependent children—to pay this debt requires \$3,000,000 for the next biennium.

Before I became Governor, you folks adopted an amendment to the Constitution to match dollar for dollar the amount of money contributed by the teachers to build a teacher retirement fund and when the coming biennium ends we will owe that fund \$10,000,000.

Now I hope the professional politicians who are sitting on the sidelines this morning and listening for something to criticize, who say that all of the trouble which the State is now having comes from the "fool pension plan which O'Daniel is recommending" will note that in the above calculations I have not included one single cent of increased pensions.

So before we get down to pensions let us decide what we are going to do with these obligations which were contracted before I was chosen as your Governor.

We have no right to have incurred this debt, but the entire debt was incurred before I became Governor. That is the dark blind alley the professional politicians have led you into, and they turn loose all the poison propaganda at their disposal because you now have a Governor who is trying to lead you out.

They want to keep the public feed trough full so the favored few may feast, even at the expense of mortgaging you and your children and your children's children for generations to come.

No wonder the earth quivers and the heavens are rent in twain by the howlings of the professional politicians and their henchmen and their controlled press when a Governor whom they did not support is elected by the common citizens and that Governor broadcasts from the housetops all this submerged facts concerning our distressed financial condition brought about under their rule.

You folks didn't know all this stuff, did you? Isn't your State in a pretty mess? It is ridiculous that a State as rich in natural resources and productivity as Texas should be in debt

\$36,000,000 and 285,000 old folks destitute, little children hungry, and the Federal Government spending between \$4,000,000 and \$5,000,000 each month on WPA, CCC, and NYA in Texas—with more than half of us barely eking out an existence.

Such a deplorable condition can only be the result of poor management. Have any of you folks listening, you common citizens, profited by the expenditure of this \$36,000,000 which has been spent? You are going to have to pay the bill. Who has been the beneficiary?

It's high time to pay up, and get even, and drive from your midst the false prophets who for selfish gain would enslave us. If we are going to pay off \$5,000,000 every year until we get it paid, then we must have \$27,000,000 new revenue during the next two years.

There is one way we could get this \$27,000,000, and that would be by reducing other expenditures to the amount of \$27,000,000, during the biennium. Let us see what the prospect of accomplishing it by this method is. The Forty-fifth Legislature appropriated for the current biennium in round figures \$70,000,000, so if we are to find any money to apply on this \$27,000,000 the present Legislature must find it by reducing appropriations below \$70,000,000.

The Board of Control recommended appropriations for the next two years which, including rural aid, amounted to \$79,437,467. If the Legislature should follow this recommendation, instead of saving money we would have increased by \$9,000,000 the current expenditure level.

However, if the Senate appropriation bills should be passed as they come from the committee the expenditures of the State during the coming two years would be \$70,131,874 which is, for all practical purposes, exactly the same amount expended during the current two years. In other words, notwithstanding the fact that the Senate Finance Committee has cut the estimates of the Board of Control, in round figures \$9,000,000, we still have no money saved to apply on our \$27,000,000.

One thing is obvious, the Senate Finance Committee, after laboring diligently, on these appropriations, has not been able to cut the sum-total below the total of the current biennium. And I should like to take occasion

here to say that as I have observed the work of the Senate Finance Committee and the House Appropriations Committee, these committees have labored conscientiously and diligently to protect the interests of the taxpayers.

Right here I would like to take occasion to especially commend the work done during this Session by Eli Thornton, chairman of the Appropriations Committee of the House and his associates, and Senator Morris Roberts, chairman of the Finance Committee in the Senate, and his fellow Members of that committee.

While these appropriation bills have not come to me in final form, I have looked over them in the form they were reported to the House and I know enough about the character of the work to know that these bills represent long hours of tedious work done by those committees and I feel conscientiously done to protect the interests of the institutions of this State and the taxpayers of this State.

When these appropriation bills come to me I do not know what reductions, if any, I will find it possible to make, but I do know that it is sheer nonsense to talk about cutting \$27,000,000 out of these appropriations and that is exactly the amount which must be taken out without even raising one single dollar more pension revenue; or, on the other hand, you must fail to meet the specific obligations which I have enumerated.

Thus far I have left the old age pensions out of the consideration. Whatever we do in the way of financing old age pensions must be in addition. And right here I would like to point out that when the Senate passed Senate Joint Resolution No. 12 they recognized that \$11,000,000 more money was needed each year or \$22,000,000 more each biennium to meet even in a limited way the needs of the old age pension fund.

So if you take the estimate of the Texas Senate and add \$22,000,000 to \$27,000,000 your revenue need then becomes \$49,000,000 for the next two years.

Allow me to emphasize the fact that so far as I am concerned I believe the deficit which the State Government had created before I became Governor is an honest obligation of the State, even though it may be an unconstitutional one.

Let me ask this question: What do you think we should do about this \$19,000,000 deficit to cover money spent by the State before I became Governor? What do you think we ought to do about the \$5,000,000 which the teachers have already paid into the State treasury on the promise that the State would match this contribution? And what about matching the teacher retirement for the coming biennium which will bring the total obligation to \$10,000,000?

You folks adopted a constitutional amendment promising to do all this before I became Governor.

Now just what do you think we should do about that other constitutional amendment which you adopted before I became Governor in which you promised to put up \$3,000,000 each biennium to care for dependent children? Did you mean that when you wrote it into the constitution? Did you want it paid? What about the promise you made in the constitutional amendment you adopted to care for the needy blind? That obligation requires another \$1,000,000.

Now friends, when you have answered these questions, please bear in mind that without considering one single dollar additional for old age pensions, that these obligations which I have already enumerated, every one of which existed when I took the oath of office as Governor, will require that we raise \$36,000,000 during the coming biennium new revenue if they are paid.

I have carefully itemized these items so that the honest citizen who is seeking facts and not propaganda, can arrive at his own conclusion.

And right here is an embarrassing moment to quote Section 49, Article 3 of the Constitution of the State of Texas:

"No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or pay existing debt; and the debt created to supply deficiencies in the revenue shall never exceed in the aggregate at any time, \$200,000."

Now I want to ask you, you 6,000,000 citizens who own this State, if you do not think that that framers of the Constitution intended to limit the debt of this State at any one time to \$200,000? I will tell you very frankly

that I think that that was their definite intention. I do not believe that the framers of our Constitution ever intended that the affairs of this State should ever be conducted with hot checks. And if that is the meaning of the Constitution then we have no right to have a \$20,000,000 deficit in the General Fund.

I believe the \$3,000,000 which we borrowed from the banks to pay pensions is an honest obligation and must be paid.

I believe the contract we entered into with the teachers to match the amount of money they paid, is an honest contract and must be filled.

I believe the promise to care for the dependent children and the blind which you people wrote into the Constitution before I became Governor are honest obligations and that they should be met.

I believe the promise to pay the old age pensions which you people adopted before I became Governor is an honest obligation and I believe it should be met.

By virtue of our Constitution the oil beneath our soil is protected for the owner, the farms belong to the owners and our army will fight to insure that ownership. The money in the banks is safe. The job of the laboring man is secure for him, his home is secure. The Constitution of the State of Texas protects property and jobs and personal liberty.

Whenever any of these things are in jeopardy the attorney appears before the bar of justice and demands protection—and gets protection. By the same virtue of that same constitution I stand, without blushing, before the bar of public opinion as Governor of this State and plead for the fatherless boy and girl, who has no father or attorney, to plead for the blind men and women, and the old folks who cannot plead for themselves—and ask for what—ask for that which the people of Texas by their vote at the polls has promised them.

Let the professional politicians and their hirelings condemn me if they will—ridicule me if they wish—but by the authority conferred upon me by the voters of Texas and by the grace of God I intend to continue to fight for justice for all—not just for the favored few.

I submit to you people that it is absolutely unfair for the citizens of this State to continually urge more

liberal appropriations for our institutions of higher learning, larger appropriations for rural aid, more extended public health service, more money for highways, and then fight every proposal to raise the money to keep the State in a solvent financial condition.

I submit to you that it is absolutely unsound business policy and it is poor Statesmanship to go to the polls and vote for a constitutional amendment authorizing the care of dependent children, aid for the needy blind, old age pensions, teacher retirement, and then fight every proposal to raise the money to pay for these social services. And I for one do not believe that the average Texas citizen wants to take this position. I believe that the average Texas citizen does not want to see the State incur honest obligations and then refuse to meet those honest obligations.

If we set up in this State the right kind of a plan to care for the indigent blind, to care for the dependent children, and to provide pensions for the aged, it is right and proper that every citizen of this State should pay his part of the cost of meeting these obligations, and I want to tell you frankly that as I have contacted them I find that the average citizen is willing to pay his part of the cost.

The trouble lies primarily in a few selfish business leaders who seek to prejudice the mind of the average man in order to defeat all taxes.

Unfortunately, we have some large corporation interests in this State who are so selfish that they can not see their own best interests and at the proper time I intend to identify them by industry and by name.

This vicious system must be broken up.

I'm satisfied that you folks are tired of the favored few living off the fat of the land and the masses burdened down with debt.

That's the same old system the landlord used on my stepdad. He got dad in debt the first year and maintained that deficit in dad's general fund just like this State is doing you folks, and it took dad 17 years of hard work for our whole family before he caught on to what was being done to him. You just can't borrow yourself out of debt whether you are a tenant farmer like dad was or whether you are the big State of Texas. That is a lesson in economics which I

learned at poor dad's 17 years of experience. It's going to require \$49,000,000 to pay us out now, and I think it's high time that we were starting to get out of debt.

As your Governor all I can do is point these things out and to recommend that the Legislature raise the necessary money. I have in no sense been contentious with the Legislature about raising this money. I have said from the beginning that if the Legislature did not like the plan I recommended I was perfectly willing to accept a better plan, and from this position I have never changed.

You will recall about a month ago I told you that I believed the only method which offered any prospect of success to get the necessary money to pay old age pensions, teacher retirement and the other obligations of the State, including a reasonable reduction of our \$20,000,000 deficit, was that offered by Senate Joint Resolution No. 12 then pending and still pending in the House of Representatives.

I believed this Senate Joint Resolution No. 12 as amended in the House offered a basis for compromise whereby the social security problem could be solved and the other financial problems of the State solved at the same time.

And furthermore they didn't have any \$20,000,000 deficits then in the State General Fund.

Now aside from the merit of any particular plan I feel that this State faces a serious situation. I believe that the Legislature should be willing to do as I have done and that is to offer to compromise in order to reach an agreement.

Now let us see upon which method an agreement is most likely. In this connection let me call your attention to the fact that this constitutional amendment, when it passed the Senate received 21 votes and I have since been told that two other Senators are now favorable to this plan.

If this is true there are 23 Senators out of 31 who believe that the constitutional amendment is the proper plan. The first time it was voted on in the House it received 89 votes. It lacked only 11 of having enough to submit it to the people.

Now let us see what concessions those who want the constitutional amendment have already made to

those who oppose it. That small minority group in the House has offered the objection to a constitutional amendment that when you write the tax to pay social security in the Constitution you thereby fix it so that the people will not have the opportunity to vote on it again until they get a two-thirds majority of both the House and Senate to submit it.

To offset this argument the proponents of the constitutional amendment have offered an amendment which provides that if this constitutional amendment is adopted by the people it should be re-submitted to them at the general election in 1942 and if they do not again give it a majority vote that it will pass out of the Constitution.

But that did not satisfy the opponents and the proponents then agreed to accept a further amendment to give the people an opportunity to vote on it again at the general election in 1946 and they have provided further that if it was readopted for the third time in 1946 then it should be submitted to the people every 10 years thereafter.

Now that is certainly fair and I maintain that those who have been contending for the constitutional amendment in both the House and Senate have been reasonable and I want to state to you frankly that I believe the small minority in the House who are blocking this constitutional amendment are not acting in the best interest of the State of Texas.

I am not here to criticize their motive but I do most definitely criticize their judgment.

Since I talked to you the Members of the House were given the opportunity to do this job by passing a statutory tax bill. Many of the friends of the constitutional amendment in the House joined with those who had fought the constitutional amendment in an effort to aid them in bringing out of the House a tax bill with sufficient revenue to meet these obligations, but the result was exactly what I thought it would be—they passed an omnibus tax bill.

It is a combination gross receipts tax, sales tax, and natural resource tax. They call it an omnibus bill, but they should call it a Dodge brothers coup because it is a coup whereby so many brothers dodged the tax by the exemption detour that it will not pro-

duce half enough money to meet the State's necessary obligations, even if the Senate were to pass it, and I do not think there is a Chinaman's chance of the Senate passing any statutory tax bill for social security purposes, and one reason why I believe this is because last Monday the Senate passed by more than a majority a resolution which contained this statement:

"Resolved, by the Texas Senate that in view of all the reasons stated we feel that it would be unsound public policy to attempt to finance the social security program of this State by statutory enactment."

Now if anybody believes that the Senate will pass a statutory tax bill for social security purposes they will have to believe that they will pass a bill which more than a majority of them have stated that they believe would be unsound public policy—and I for one do not believe the Senate would deliberately pass a law which they have classified as unsound public policy.

Time will not permit me to read the full Senate resolution, but I do want to point out one argument in favor of a constitutional amendment for raising pension tax money which cannot be contradicted.

It reads as follows:

"This State has never before entered upon a social security program involving the payment of pensions to large groups except in one instance and that was when the State made provision to pay pensions to Confederate soldiers. The State at that time adopted the principle of writing the authorization for the pension and the tax to pay the pension both into the Constitution and we believe that this tried and established principle should now be continued."

Now it may be that this little minority group in the House of Representatives who are blocking the passage of this constitutional amendment and thus preventing you voters of Texas from deciding this momentous question may be much more intelligent than the honorable Members of the Legislature long ago who permitted the people to write the Confederate pension tax into the Constitution, but the way those old-fashioned Legislators handled it away back yonder, it worked.

I want to say further that if this Session of the Legislature ends with-

out the money being raised to pay old age pensions, teacher retirement, care for dependent children and aid to the blind and provide money for our General Fund which must support our rural aid and our other institutions of higher learning, then I think the responsibility for the failure will rest squarely upon the shoulders of the small minority group in the House of Representatives who are blocking the submission of this amendment.

They have had every chance to raise an adequate amount of money to finance these obligations by statutory enactment on two occasions and they have sent two bills to the Senate—a gross receipt tax on the merchants and business establishments of this State, and the other an omnibus tax bill, neither of which will anything like raise the money to do the job even if they could get the Senate to agree exactly as they passed the House. So I think now the time is here for the small minority bloc in the House who have failed when given an opportunity to use their plan now to join the 89 Members of the House and 21, or possibly 23 Members of the Senate and work out a satisfactory constitutional amendment.

I have spoken on former occasions about calling the honor roll. Some folks have doubted that I would do this, but let me take time right here to give you the names of 21 Senators who voted for the constitutional amendment.

This is the Senate honor roll: Aikin, Beck, Burns, Collie, Cotten, Hardin, Isbell, Kelley, Martin, Moffett, Nelson, Pace, Redditt, Roberts, Shivers, Small, Spears, Stone of Washington, Van Zandt, Weinert and Winfield.

Now I would like to take time to give you the names of all those 89 Members in the House who voted for this constitutional amendment and those who voted against it, but I believe I will wait until I get their final vote on it before I make a report on the honor roll in the House.

But in conclusion I want to state definitely without any reservation that there has been lots of talk in Texas about those who were willing to provide the money to meet the social security obligations of this State and those who were not willing to provide the money.

This is one time where I think the record is going to be clear. Thus far

I think those Members of the House and those Members of the Senate who have consistently supported the constitutional amendment have a record which they can defend on the question of providing for social security and if the small minority bloc of Members in the House of Representatives want to block the will of the majority of the Senate and majority of the Members of the House and if they want to defy the will of the people who adopted the original constitutional amendment authorizing these social security services, then the responsibility is on the shoulders of this small minority bloc in the House and they are responsible to their own constituents—and not to me.

But I do want to further observe that, if that small minority obstructionist bloc in the House thinks it can clear the record by claiming it tried to help solve this most perplexing problem by voting for either one of the two flimsy statutory tax measures, neither will stand up with the citizens in their respective districts who sincerely want results instead of alibis and excuses.

I have done my duty. I submitted my recommendations to the Legislature the day following my inauguration. I stated plainly how I thought these services could be financed. I accepted the Legislature's plan in changing the tax which I recommended and I am standing firmly with the 21 Senators and the 89 House Members and I am willing to let the people decide if failure comes who is responsible for the failure.

And I want to promise the citizens of Texas one thing and that is so far as I am concerned this fight has just begun. If the old people in Texas are forced to go two more years without money; if the dependent children and the blind are to be neglected for two more years; if we are to refuse for two more years to comply with our promise to match the teacher retirement fund; if we are to be forced during the next two years to drastically reduce rural aid and support for our eleemosynary and educational institutions for lack of money in the General Fund, I promise now that from every stump in Texas I expect to call the roll and there will be no hedging and dodging.

I am going to give the people of Texas the facts.

So far as I am concerned I am willing to stand or fall on the record, and please bear in mind, it is all in the record.

May I, at this time, express the hope that the small minority group in the House of Representatives which is now blocking the majority will of both the House and the Senate will see the error in their way and will at least permit the people to vote on whether or not they want to pay the honest obligations of this State, so that deceitfulness, trickery and false promises may no more be part of our governmental system, and debts may be paid, and a new business era, an honest business era, may be ushered in so that all of our citizens may have an opportunity to march on that great highway of happiness and prosperity in this land of milk and honey, this great big healthy and wealthy State of beautiful Texas. Thank you."

(Speaker in the Chair.)

MOTION TO PRINT CERTAIN ADDRESS

Mr. Derden moved that the address of Mr. Weldon in addressing the House on a point of personal privilege be printed in the Journal.

Mr. Alsup raised a point of order, on consideration of the motion by Mr. Derden, on the ground that a motion to print is not in order at this time.

The Speaker sustained the point of order.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

May 26, 1939.

To the Members of the House of Representatives of the Forty-sixth Legislature:

I am returning herewith House Bill No. 194, known as the Barber Bill.

An opinion rendered May 25th, 1939, by the Attorney General's Department, known as Opinion No. 0-830, holds House Bill No. 194 unconstitutional, and for that reason I am returning it to your body without my approval.

Very truly yours,

W. LEE O'DANIEL,
Governor of Texas.

ADDRESS BY THE HONORABLE JESSE JONES

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 168, by Mr. Thornton, Inviting the Hon. Jesse Jones and Hon. Amon G. Carter to address a joint session at 11:00 o'clock a. m., today, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being admitted occupied seats prepared for them.

Hon. Jesse Jones and party were escorted to the Speaker's stand by Messrs. Thornton, Heflin, Howard, Winfree, Montgomery, Johnson of Tarrant, Hull, Bradford, McAlister and Corry, Committee on the part of the House.

Speaker R. Emmett Morse called the House to order.

Senator Weaver Moore, president pro tempore, called the Senate to order and presented former Governor W. P. Hobby.

Mr. Hobby then presented Hon. Jesse Jones who addressed the Joint Session.

SENATE RETIRES

At the conclusion of the address, the Senate at 11:30 o'clock a. m., retired to its Chamber.

HOUSE BILL NO. 451 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 451, A bill to be entitled "An Act defining certain words, terms and phrases used herein; levying a luxury tax of two (2%) per cent of the gross receipts of the sale of all tangible personal property sold in this State; providing that such tax shall not apply to sales of foodstuffs, compounds of drugs filled by a prescription of a duly licensed physician and clothing where the retail sale price of each item of clothing does not exceed the sum of Ten (\$10.00) Dollars; providing for a luxury tax of two (2%) per cent of the gross receipts of any person engaging in the business and from the sales of admission tickets, cash admissions, charges and fees to places of amusement, games and athletic events; etc., and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Dwyer, pending.

Mr. Dwyer offered the following amendment to the amendment:

Amend amendment to House Bill No. 451 by placing a comma after "Ten (\$10.00) Dollars" in Section 2 and by adding, the following:

"Nor to cash admission and charges of places of amusement and athletic contests; nor to sales of electricity or electrical current, water, sewer service, gas, natural or artificial, sold to domestic and industrial consumers; nor to sales of service to telephone subscribers and others for the transmission of messages and conversations both local or long distance; nor upon the sale, rental or leasing of equipment for the services pertaining and incidental thereto, nor to sales of service for transmissions by telegraph, nor to commercial laundry, cleaning and/or dyeing service; nor to sales of tickets, fares and service by railroad companies, express companies, bus lines, truck lines and all character of transportation companies engaged in the transportation of persons or freight for hire; nor to bill boards or other outdoor advertising but to apply to all other sales not exempted herein."

Mr. Bray moved that House Bill No. 451 be laid on the table subject to call.

Question recurring on the motion by Mr. Bray, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—55

Baker	Derden
of Fort Bend	Dickson
Baker of Grayson	Donaghey
Bell	Dowell
Blankenship	Felty
Boethel	Galbreath
Boyd	Gilmer
Bradford	Gordon, Mrs.
Bray	Hale
Bridgers	Harper
Broadfoot	Harrell of Lamar
Brown of Cherokee	Hartzog
Brown	Isaacks
of Nacogdoches	Kennedy
Clark	Kerr
Cockrell	Kersey
Colquitt	Kinard
Cornett	King
Corry	Loggins

McAlister
Mohrmann
Pace
Piner
Reaves
Reed
Roberts
Robinson
Russell
Schuenemann

Shell
Skiles
Stoll
Talbert
Tarwater
Tennant
Thornberry
Vint
Wood

Nays—63

Allen	Kern
Allison	Langdon
Alsup	Lehman
Bailey	Little
Bond	Lock
Boyer	London
Bundy	McDonald
Burkett	McMurry
Burney	McNamara
Cauthorn	Morris
Celaya	Newell
Chambers	Oliver
Cleveland	Petsch
Crossley	Pevehouse
Daniel	Pope
Davis of Jasper	Reader of Erath
Dwyer	Rhodes
Faulkner	Roach
Fuchs	Smith of Frio
Hamilton	Stinson
Hankamer	Taylor
Hardeman	Thornton
Hardin	Turner
Harp	Vale
Harrell of Bastrop	Wells
Harris	Westbrook
Heflin	White
Howington	Wilson
Hull	Winfree
Hunt	Worley
Johnson of Ellis	Wright
Johnson of Tarrant	

Present—Not Voting

Weldon

Absent

Anderson	McFarland
Coleman	Monkhouse
Colson, Mrs.	Montgomery
Dickson	Nicholson
Goodman	Ragsdale
Howard	Reader of Bexar
Leonard	Segrist
Leyendecker	Smith of Hopkins
Mays	Voigt
McDaniel	

Absent—Excused

Bradbury	Ferguson
Davis of Upshur	Fielden
Dean	Holland

Keith
Riviere
Smith
of Matagorda

Spencer
Waggoner

Mr. Derden moved that House Bill No. 451 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—57

Anderson	Kennedy
Baker of Grayson	Kersey
Blankenship	King
Boethel	London
Boyd	McDonald
Bray	Mohrmann
Bridgers	Morris
Brown	Newell
of Nacogdoches	Nicholson
Cauthorn	Petsch
Cleveland	Piner
Coleman	Reader of Bexar
Cornett	Reaves
Corry	Roach
Derden	Roberts
Dickson	Robinson
Donaghey	Russell
Dowell	Skiles
Felty	Smith of Hopkins
Galbreath	Stoll
Gilmer	Talbert
Gordon, Mrs.	Tarwater
Hale	Tennant
Hamilton	Thornberry
Hardeman	Vint
Harrell of Lamar	Weldon
Harris	Wells
Howard	Winfree
Isaacks	Wood

Nays—66

Allen	Dickison
Allison	Dwyer
Alsup	Faulkner
Bailey	Fuchs
Bell	Goodman
Bond	Hankamer
Boyer	Hardin
Broadfoot	Harp
Brown of Cherokee	Harper
Bundy	Harrell of Bastrop
Burkett	Howington
Chambers	Hull
Colquitt	Hunt
Colson, Mrs.	Johnson of Ellis
Crossley	Johnson of Tarrant
Daniel	Kern
Davis of Jasper	Kerr

Kinard	Reader of Erath
Langdon	Reed
Lehman	Rhodes
Leyendecker	Segrist
Lock	Smith of Frio
Loggins	Stinson
Mays	Taylor
McAlister	Thornton
McDaniel	Turner
McMurry	Vale
McNamara	Voigt
Monkhouse	Westbrook
Oliver	White
Pace	Wilson
Pevehouse	Worley
Pope	Wright

Absent

Baker	Heflin
of Fort Bend	Leonard
Bradford	Little
Burney	McFarland
Celaya	Montgomery
Clark	Ragsdale
Cockrell	Schuenemann
Hartzog	Shell

Absent—Excused

Bradbury	Keith
Davis of Upshur	Riviere
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	Waggoner

Question—Shall the amendment by Mr. Dwyer to the amendment be adopted?

INVITING HON. ROBERT L. RIPLEY TO ADDRESS A JOINT SESSION OF LEGISLATURE

Mr. Goodman offered the following resolution:

H. C. R. No. 166, Inviting Hon. Robert L. Ripley to address a joint session of the Legislature.

Whereas, Texas will be privileged to have as its guest within the next few days the world renowned, universally admired great American artist and author, the one and only Robert L. Ripley, believe it or not; and

Whereas, Mr. Ripley, who has the greatest audience of any living man, has on numerous occasions, portrayed many singular personages, places and events, in which Texas takes pride; and

Whereas, He is to describe the beauty and grandeur of our Sister State's Carlsbad Cavern, on a na-

tional radio network, thus calling the attention of millions to this unique attraction which may only be reached by passing through the Lone Star State; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Hon. Robert L. Ripley, believe it or not, be invited to address a joint session of the Texas Legislature, at 11:00 a. m., Monday, June 5th, or such other time as may suit his convenience;

And, That the Speaker of the House, the Hon. R. Emmett Morse is hereby respectfully requested to convey this invitation to Mr. Ripley at his earliest convenience; and, be it further

Resolved, That the Capitol correspondents be made members of the Committee on Arrangements to be appointed by the Speaker of the House and the President of the Senate.

GOODMAN,
LEONARD,
CHAMBERS,
SHELL,
HARRELL of Bastrop,
READER of Bexar.

The resolution was read second time, and was adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 1059, "An Act to amend House Bill No. 137, Second Called Session, Forty-fifth Legislature, to provide that fish propagated because of expenditures made from the Medina Lake Fund may be distributed to any of the waters of Medina County, and declaring an emergency."

H. B. No. 614, "An Act amending Sections 14 and 18 of Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to provide for the filing of the birth record of an adopted child in the local registrar's office, and providing for a change in the birth record of a child when that child is legitimized by the marriage of its mother; and so as to provide for the registration of a birth or death that has not previously been registered, and declaring an emergency."

H. B. No. 531, "An Act providing for the use of trot lines in Lake Waco in McLennan County; prescribing when such line may be used, and the kind of trot line that may be used; providing a penalty for violation of this Act; repealing conflicting laws, and declaring an emergency."

H. B. No. 1058, "An Act creating a Special Road Law for Orange County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of March 1st, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; etc., and declaring an emergency."

H. B. No. 652, "An Act amending Article 297 of the Penal Code of Texas, of 1925, as amended by Act of the Forty-fourth Legislature in 1935, and declaring an emergency."

H. B. No. 133, "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Panola County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; etc., and declaring an emergency."

H. B. No. 1005, "An Act making it unlawful to kill or attempt to kill deer or wild turkey or molest same in Red River County for a period of five (5) years; providing a penalty; repealing all conflicting laws, and declaring an emergency."

H. B. No. 1049, "An Act providing for rural school supervisor in certain counties; providing for salary for such supervisor; providing traveling and other expenses for such supervisor; making said Act cumulative of all other laws and parts of laws regarding public education; prescribing duties of such supervisor, and declaring an emergency."

H. B. No. 493, "An Act amending Article 5986 of the Revised Civil Statutes of 1925, eliminating certain provisions of said Article, and declaring an emergency."

H. B. No. 794, "An Act amending Article 6686, Title 116, of the Revised Civil Statutes of the State of Texas, 1925, as amended, by adding a new paragraph providing for the issuance on in-transit permits by the State Highway Commission to any person, firm or corporation engaged in and using the drive-a-way system of transporting motor vehicles under their own power, and declaring an emergency."

H. B. No. 1042, "An Act providing for compensation for County Auditor in certain counties; providing mode and manner of payment of such salary, and declaring an emergency."

H. B. No. 740, "An Act validating certain bonds in cities in the State of Texas operating under the General Laws of the State and located in counties having a population less than twenty-seven thousand, five hundred (27,500) and more than twenty-seven thousand, four hundred (27,400), according to the last preceding United States Census, which bonds have been heretofore voted subsequent to enactment of Chapter 382, Acts of the First Called Session of the Forty-fourth Legislature of Texas, 1935, and which bonds are payable out of the revenue to be derived from the operation of a municipal light and power distribution system, and declaring an emergency."

H. B. No. 1024, "An Act to amend Chapter 105 of the Special Laws passed by the Thirty-third Legislature at its Regular Session in 1913, as amended by Chapter 55, Special Laws of the Forty-third Legislature, Second Called Session, same being a road law for Jackson County, Texas, by adding thereto Sections 5a, 5b, and 5c, creating Road District No. 12, Jackson County, Texas, defining and specifically setting out its boundaries, including therein a portion of Road District No. 1, of said County; authorizing the Commissioners' Court to continue to levy an ad valorem tax for the payment of the principal and interest on all outstanding bonds of the former district embraced within Road District No. 12 herein created; etc., and declaring an emergency."

H. B. No. 1030, "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of 1925, by adding Section 1a, providing for salaries of heads of departments which may be

appointed by the Commissioners' Courts of counties having a population of not less than nineteen thousand, eight hundred and fifty (19,850), and not more than nineteen thousand, eight hundred and ninety-five (19,895), according to the last Federal Census, and declaring an emergency."

H. C. R. No. 77, To provide for certain plaque.

H. C. R. No. 144, To grant Mr. and Mrs. T. J. Sharp permission to sue the State.

H. B. No. 1020, "An Act providing amount of payment to the County Executive Committee, in order to have name placed on ticket for Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

H. B. No. 832, "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto."

H. B. No. 834, "An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, saving banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; to repeal Section 14-A of Chapter 462, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Second Called Session of the Forty-fifth Legislature, and to declare an emergency."

H. B. No. 579, "An Act amending Sections 3, 4, 5 and 7 of Chapter 97, Acts of the Regular Session of the Forty-fourth Legislature of the State

of Texas, and declaring an emergency."

H. B. No. 904, "An Act providing that all counties within this State, having a population in excess of fifty thousand (50,000) inhabitants, may, upon an order being made by its Commissioners' Court for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Court all necessary power and authority to make this Act effective; providing that said Act shall be cumulative, and declaring an emergency."

H. B. No. 1077, "An Act providing for more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than thirty-four thousand, six hundred (34,600) and not more than thirty-four thousand, seven hundred (34,700), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making this Act cumulative of the General Law, and declaring an emergency."

H. B. No. 354, "An Act to permit the killing and annihilating of fox in Erath and Hood Counties, and declaring an emergency."

H. B. No. 999, "An Act to prohibit School Trustees from soliciting, demanding or suggesting the giving of a bribe for themselves, or for another; prescribing penalties for violation hereof, and declaring an emergency."

H. B. No. 741, "An Act changing the name of the Girls' Training School to be hereafter known as the Gainesville State School for Girls."

H. B. No. 539, "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, relating to the Waco State Home, formerly known as the Home for Dependent and Neglected Children, so as to facilitate the administration of said Home and to provide for more effective training and care of children in need of it and for the placement of certain children of said Home in children's boarding homes at a rate not to exceed One (\$1.00) Dollar per day for each child so boarded; etc., and declaring an emergency."

RECESS

On motion of Mr. Hull, the House, at 12:05 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Allison was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Faulkner.

MESSAGE FROM THE SENATE

Austin, Texas, May 29, 1939.
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed notwithstanding the Governor's veto,

S. B. No. 69, "An Act providing that no party who participates either in person or by his attorney in the actual trial of the case in the trial court shall be entitled to review by the Court of Civil Appeals through means of writ of error; providing for a repeal of all laws and parts of laws insofar as they conflict with this Act or repeal; etc., and declaring an emergency."

By the following vote—Yeas, 17; Nays, 8.

Has passed

H. B. No. 1113, A bill to be entitled "An Act to amend Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

The Senate has refused to concur in House amendments to Senate Bill No. 224, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Weinert, Moore, Burns, Metcalfe and Spears.

The Senate has adopted

H. C. R. No. 164, Instructing the Enrolling Clerk of the House to make certain changes in House Bill No. 995.

H. C. R. No. 168, Inviting the Hon. Jesse Jones and Amon G. Carter to address a joint session of the Legislature.

The Senate has concurred in House amendments to Senate Bill No. 470 by the following vote: Yeas, 28; Nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 276 by the following vote: Yeas, 28; Nays, 0.

The Senate has adopted,

S. C. R. No. 58, Inviting Congressman Martin L. Dies to address a joint session of Legislature at 11:30 a. m., Tuesday, May 30th, in the House of Representatives.

The Senate has passed,

H. B. 1102, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits, and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under General Law of Texas under Commission form of Government, etc., and declaring an emergency."

S. B. No. 477, A bill to be entitled "An Act to amend Section 3 of House Bill No. 74, passed at this, the Regular Session of the Forty-sixth Legislature, so as to prescribe rules and regulations by which it may be established who are now licensed to practice law within this State within the meaning of said Section; and limiting the power of the District Judge and the Supreme Court, and declaring an emergency."

H. B. No. 387, A bill to be entitled "An Act to amend Article 1970-314, Revised Civil Statutes of Texas, 1925, by diminishing the jurisdiction of the District Court of such county to such change; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act providing pay for county board members of certain counties, and limiting the number of sessions to be paid for, and declaring an emergency."

H. B. No. 1050, A bill to be entitled "An Act to amend Chapter 3 of Title 128 of the Revised Civil Statutes of

Texas of 1925, relating to Water Control and Preservation Districts by providing that lands in any such district lying within or adjoining the territorial limits of an incorporated city or town, which was not included in such district at time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with the County Clerk of the county in which such lands are situated, may be discontinued as part of such district; etc., and declaring an emergency." (With amendment.)

H. B. No. 1074, A bill to be entitled "An Act amending Article 2092 of the Revised Civil Statutes of Texas, being Chapter 105 of the Acts of the Regular Session of the Thirty-eighth Legislature, page 215, as amended by the Acts of the Forty-first Legislature, Regular Session (1929), Chapter 222, etc., so as to make same applicable to all counties having five (5) or more District Courts with either civil or criminal jurisdiction or both, and declaring an emergency."

H. B. No. 1084, A bill to be entitled "An Act repealing House Bill No. 666 passed at the Regular Session of the Forty-sixth Legislature, the same being a local game bill for Comanche County, and declaring an emergency."

H. B. No. 1095, A bill to be entitled "An Act creating a special road law for Haskell County, Texas, validating an issue of refunding warrants dated March 15, 1939, in the amount of Fifty-seven Thousand (\$57,000) Dollars and the proceedings authorizing their issuance; providing that such validation shall not affect any of such refunding warrants the validity of which is in issue in litigation within thirty (30) days after the date this Act becomes effective; repealing House Bill No. 479 passed at the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

H. B. No. 1103, A bill to be entitled "An Act prohibiting the taking of fish for commercial purposes from the public waters of Jones and Shackelford Counties; prescribing penalties, and declaring an emergency."

The Senate has concurred in House amendments to Senate Bill No. 194, by the following vote: Yeas, 25; Nays, 1.

The Senate has refused to concur in House amendments to Senate Bill No. 200 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Graves, Redditt, Lanning, Moffett and Martin.

The Senate has passed,

S. B. No. 479, A bill to be entitled "An Act to amend Section 1, Chapter 494 of the Regular Session of the Forty-fifth Legislature, adding the County of San Saba to the list of counties affected by said Act; etc., and declaring an emergency."

S. B. No. 480, A bill to be entitled "An Act making it unlawful to transport minnows from Walker County for the purpose of sale, or to transport more than 200 minnows from Walker County or to have in any vehicle more than 200 minnows in Walker County; providing a penalty, etc., and declaring an emergency."

The Senate has adopted,

H. C. R. No. 166, Inviting Robert L. Ripley of Believe It or Not, to address a joint session of the Legislature.

The Senate has passed,

S. B. No. 478, A bill to be entitled "An Act creating and establishing Van Zandt County Road District No. 7 in Van Zandt County, Texas, under Article III, Section 52 of the Constitution for the purpose of the construction, operation and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the district a body corporate with authority to sue and be sued; authorizing the district to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 451 ON PAS- SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, House Bill No. 451, Providing for the levying of certain taxes for the payment of social security, etc., on its passage to engrossment.

The bill having heretofore been read second time with amendment by Mr. Dwyer, and amendment by Mr. Dwyer to the amendment, pending.

Mr. Kerr moved that House Bill No. 451 be laid on the table subject to call.

Question recurring on the motion by Mr. Kerr, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—57

Baker	Kennedy
of Fort Bend	Kerr
Baker of Grayson	Kersey
Blankenship	King
Boethel	Lock
Boyd	London
Bray	Mays
Bridgers	Newell
Brown of Cherokee	Nicholson
Brown	Oliver
of Nacogdoches	Piner
Bundy	Reaves
Cauthorn	Reed
Clark	Riviere
Cleveland	Roach
Coleman	Roberts
Cornett	Robinson
Davis of Jasper	Russell
Davis of Upshur	Stinson
Derden	Stoll
Dickson	Talbert
Faulkner	Tennant
Felty	Thornberry
Galbreath	Vint
Hale	Weldon
Hardeman	Wells
Harper	Westbrook
Harris	Winfree
Howard	Wood
Isaacks	

Nays—50

Allen	Gordon, Mrs.
Allison	Hardin
Alsup	Harp
Bailey	Harrell of Bastrop
Bell	Harrell of Lamar
Boyer	Howington
Bradford	Hunt
Broadfoot	Johnson of Tarrant
Burkett	Kern
Burney	Kinard
Chambers	Langdon
Cockrell	Lehman
Crossley	Little
Dickison	McAlister
Donaghey	McFarland
Gilmer	McMurry
Goodman	McNamara

Monkhouse	Taylor	Hankamer	Pace
Pace	Thornton	Harp	Petsch
Petsch	Vale	Harper	Pevehouse
Pevehouse	Waggoner	Harrell of Bastrop	Pope
Pope	White	Harris	Reader of Erath
Reader of Bexar	Wilson	Howington	Rhodes
Reader of Erath	Worley	Hull	Riviere
Rhodes	Wright	Hunt	Schuenemann

Absent

Anderson	Leyendecker
Bond	Loggins
Celaya	McDaniel
Colquitt	McDonald
Colson, Mrs.	Mohrmann
Corry	Montgomery
Daniel	Morris
Dowell	Ragsdale
Dwyer	Schuenemann
Fuchs	Segrist
Hamilton	Shell
Hankamer	Skiles
Hartzog	Smith of Frio
Heflin	Smith of Hopkins
Hull	Tarwater
Johnson of Ellis	Turner
Leonard	Voigt

Absent—Excused

Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	

Mr. Dwyer moved that House Bill No. 451 be called from the table, at this time.

The roll of the House was called and the vote announced, as follows—Yeas, 60; Nays, 63.

A verification of the vote was requested.

Mr. White moved a call of the House pending the verification, and the call was not seconded.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—56

Alsup	Cockrell
Bailey	Coleman
Bell	Colson, Mrs.
Boyer	Crossley
Bradford	Daniel
Bray	Dickison
Bundy	Dwyer
Burkett	Fuchs
Celaya	Goodman
Chambers	Gordon, Mrs.

Kern	Shell
Kinard	Smith of Frio
Lehman	Taylor
Leyendecker	Thornton
Little	Vale
Lock	Waggoner
Loggins	White
McAlister	Wilson
McMurry	Worley
McNamara	Wright

Nays—65

Allen	King
Baker	Langdon
of Fort Bend	London
Baker of Grayson	McDonald
Blankenship	McFarland
Boethel	Mohrmann
Bond	Montgomery
Boyd	Morris
Bridgers	Newell
Broadfoot	Oliver
Brown of Cherokee	Piner
Brown of Nacogdoches	Reader of Bexar
Burney	Reaves
Cauthorn	Reed
Clark	Roach
Cleveland	Roberts
Cornett	Robinson
Corry	Russell
Davis of Upshur	Segrist
Derden	Skiles
Donaghey	Smith of Hopkins
Dowell	Stinson
Faulkner	Stoll
Felty	Tarwater
Galbreath	Tennant
Gilmer	Thornberry
Hale	Vint
Hamilton	Voigt
Hardeman	Weldon
Isaacks	Wells
Johnson of Tarrant	Westbrook
Kennedy	Winfree
Kerr	Wood

Absent

Anderson	Heflin
Colquitt	Howard
Davis of Jasper	Johnson of Ellis
Dickson	Kersey
Hardin	Leonard
Harrell of Lamar	Mays
Hartzog	McDaniel

Monkhouse	Talbert
Nicholson	Turner
Ragsdale	
Absent—Excused	
Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

The Speaker announced that the motion by Mr. Dwyer was lost.

MOTION TO TAKE UP SENATE JOINT RESOLUTION NO. 12

Mr. Mays moved to take up, for consideration, at this time,

S. J. R. No. 12, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding thereto a Section to be known as Section 51-E, the purpose of which is to provide for the assessment and collection of a Social Security Tax.

The resolution having heretofore been laid on the table subject to call, and notice having been given that a motion would be made to call same from the table today.

Question recurring on the motion by Mr. Mays, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—10

Davis of Upshur	Tarwater
Harris	Turner
Kerr	Vint
Leyendecker	Weldon
Mays	Wells

Nays—120

Allen	Brown of Cherokee
Allison	Brown
Alsup	of Nacogdoches
Anderson	Bundy
Bailey	Burkett
Baker	Cauthorn
of Fort Bend	Chambers
Baker of Grayson	Clark
Bell	Cleveland
Blankenship	Cockrell
Boethel	Coleman
Bond	Colquitt
Boyd	Colson, Mrs.
Boyer	Cornett
Bradford	Corry
Bray	Crossley
Bridgers	Daniel
Broadfoot	Davis of Jasper

Derden	McFarland
Dickson	McMurry
Dickson	McNamara
Donaghey	Montgomery
Dowell	Morris
Dwyer	Newell
Faulkner	Nicholson
Felty	Oliver
Fuchs	Pace
Galbreath	Petsch
Gilmer	Pevehouse
Goodman	Piner
Gordon, Mrs.	Pope
Hamilton	Ragsdale
Hankamer	Reader of Bexar
Hardeman	Reader of Erath
Hardin	Reaves
Harp	Reed
Harper	Rhodes
Harrell of Bastrop	Riviere
Harrell of Lamar	Roach
Hartzog	Roberts
Howard	Robinson
Howington	Russell
Hull	Schuenemann
Hunt	Shell
Isaacks	Smith of Hopkins
Johnson of Ellis	Stinson
Johnson of Tarrant	Stoll
Kennedy	Talbert
Kern	Taylor
Kersey	Tennant
Kinard	Thornberry
King	Thornton
Langdon	Vale
Lehman	Waggoner
Leonard	Westbrook
Little	White
Lock	Wilson
Loggins	Winfree
London	Wood
McAlister	Worley
McDaniel	Wright

Absent

Burney	Monkhouse
Celaya	Segrist
Hale	Skiles
Heflin	Smith of Frio
McDonald	Voigt
Mohrmann	

Absent—Excused

Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer
Holland	

NOTICES GIVEN

Mr. Dwyer gave notice that he would, on the next legislative day,

move to take up for consideration, at that time, House Bill No. 451, which bill was heretofore laid on the table subject to call.

Mr. Thornton gave notice that he would, on the next legislative day, move to take up for consideration, at that time, Senate Joint Resolution No. 12, which resolution was heretofore laid on the table subject to call.

MOTION TO SET HOUSE BILL NO. 1031 FOR SPECIAL ORDER

Mr. Lock moved that House Bill No. 1031 be set for special order at 10:30 o'clock a. m., tomorrow.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—80

Allen	Isaacks
Alsup	Johnson of Ellis
Anderson	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	King
Baker of Grayson	Langdon
Blankenship	Lehman
Boyd	Leonard
Boyer	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	Mays
Brown	McMurry
of Nacogdoches	Morris
Bundy	Newell
Burkett	Oliver
Burney	Pace
Chambers	Pevehouse
Cleveland	Piner
Cockrell	Reader of Bexar
Coleman	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Rhodes
Daniel	Roberts
Davis of Jasper	Russell
Davis of Upshur	Skiles
Derden	Smith of Hopkins
Faulkner	Stinson
Fuchs	Stoll
Galbreath	Talbert
Hale	Tarwater
Hamilton	Turner
Hardin	Waggoner
Harp	Weldon
Harper	Wells
Harrell of Bastrop	Westbrook
Harrell of Lamar	White
Harris	Winfree
Howington	Wood
Hunt	Worley

Nays—48

Bell	McDaniel
Boethel	McFarland
Bradford	McNamara
Bray	Mohrmann
Cauthorn	Montgomery
Colquitt	Nicholson
Corry	Petsch
Crossley	Ragsdale
Dickison	Reed
Dickson	Riviere
Donaghey	Roach
Felty	Robinson
Gilmer	Schuenemann
Gordon, Mrs.	Segrist
Hankamer	Shell
Hardeman	Taylor
Hartzog	Tennant
Heflin	Thornberry
Johnson of Tarrant	Thornton
Kersey	Vale
Kinard	Vint
Leyendecker	Voigt
Little	Wilson
McAlister	Wright

Absent

Bond	Howard
Celaya	Hull
Clark	McDonald
Dowell	Monkhouse
Dwyer	Pope
Goodman	Smith of Frio

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Galbreath offered the following resolution:

H. C. R. No. 169, To provide for adjournment sine die.

Be It Resolved that the House, the Senate concurring, Adjourn sine die May 5, 1939, and go home.

The resolution was read second time.

Mr. Hale moved to table the resolution.

The motion to table was lost.

Question then recurring on the resolution by Mr. Galbreath, it was lost.

HOUSE BILL NO. 1079 ON THIRD
READING

On motion of Mrs. Colson, the regular order of business was suspended, to take up, and have placed on its third reading and final passage, House Bill No. 1079.

The Speaker then laid before the House, on its third reading and final passage,

H. B. No. 1079, A bill to be entitled "An Act to aid the San Jacinto River Conservation and Reclamation District embracing the Counties of Montgomery, Walker, San Jacinto, and all that part of Liberty County embraced in the San Jacinto Watershed in carrying out the powers, duties and functions conferred upon such District by the Legislature; granting and donating to such District, with limitations, for a period of twenty (20) years, fifty (50%) per cent of all the State ad valorem taxes for General Revenue purposes upon the property and from persons in counties comprising in whole or in part such District, and declaring an emergency."

The bill was read third time.

Mr. Wood moved that House Bill No. 1079 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—51

Bailey	Howington
Bond	Kern
Boyd	Kerr
Bray	Langdon
Bridgers	Lehman
Broadfoot	London
Brown of Cherokee	Mays
Brown	McFarland
of Nacogdoches	Morris
Burkett	Pace
Cauthorn	Reader of Erath
Colquitt	Reaves
Cornett	Rhodes
Davis of Upshur	Roach
Dickson	Russell
Dowell	Segrist
Faulkner	Skiles
Felty	Smith of Hopkins
Fielden	Stoll
Hale	Talbert
Hardeman	Tennant
Harper	Thornberry
Harris	Vint

Waggoner
Weldon
Wells

Westbrook
White
Wood

Nays—73

Allen	Kersey
Alsup	Kinard
Baker	King
of Fort Bend	Leonard
Bell	Leyendecker
Blankenship	Little
Boethel	Lock
Boyer	Loggins
Bradford	McAlister
Bundy	McDonald
Burney	McMurry
Celaya	McNamara
Chambers	Monkhouse
Clark	Montgomery
Cleveland	Oliver
Cockrell	Petsch
Coleman	Pevehouse
Colson, Mrs.	Piner
Corry	Pope
Daniel	Ragsdale
Dickison	Reader of Bexar
Donaghey	Reed
Dwyer	Riviere
Galbreath	Roberts
Gilmer	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Shell
Hankamer	Smith of Frio
Harp	Stinson
Harrell of Bastrop	Tarwater
Hartzog	Taylor
Heflin	Thornton
Howard	Turner
Hunt	Vale
Isaacks	Voigt
Johnson of Tarrant	Worley
Kennedy	Wright

Absent

Anderson	Hull
Baker of Grayson	Johnson of Ellis
Crossley	McDaniel
Davis of Jasper	Mohrmann
Derden	Newell
Fuchs	Nicholson
Hamilton	Wilson
Hardin	Winfree
Harrell of Lamar	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Holland	

House Bill No. 1079 was then passed by the following vote:

Yeas—69

Anderson	Kinard
Baker	King
of Fort Bend	Leonard
Bell	Leyendecker
Blankenship	Little
Boethel	Lock
Boyer	Loggins
Bradford	McAlister
Bundy	McDonald
Burney	McMurry
Celaya	McNamara
Chambers	Monkhouse
Cleveland	Montgomery
Cockrell	Oliver
Coleman	Petsch
Colson, Mrs.	Pevehouse
Corry	Pope
Daniel	Ragsdale
Dickison	Reader of Bexar
Donaghey	Reed
Dwyer	Riviere
Galbreath	Roberts
Gilmer	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Shell
Hankamer	Smith of Frio
Harp	Stinson
Harrell of Bastrop	Tarwater
Hartzog	Taylor
Heflin	Thornton
Howard	Turner
Hull	Vale
Hunt	Voigt
Johnson of Tarrant	Winfree
Kennedy	Wright

Nays—56

Alsup	Fuchs
Bailey	Hale
Bond	Hardeman
Boyd	Harris
Bray	Howington
Bridgers	Isaacks
Brown of Cherokee	Kern
Brown	Kerr
of Nacogdoches	Langdon
Burkett	Lehman
Cauthorn	London
Clark	Mays
Colquitt	McFarland
Cornett	Morris
Davis of Upshur	Pace
Dickson	Piner
Dowell	Reader of Erath
Faulkner	Reaves
Felty	Rhodes
Ferguson	Roach
Fielden	Russell

Segrist	Waggoner
Skiles	Weldon
Smith of Hopkins	Wells
Stoll	Westbrook
Talbert	White
Tennant	Wood
Thornberry	Worley
Vint	

Absent

Allen	Harrell of Lamar
Baker of Grayson	Johnson of Ellis
Broadfoot	Kersey
Crossley	McDaniel
Davis of Jasper	Mohrmann
Derden	Newell
Hamilton	Nicholson
Hardin	Wilson
Harper	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Holland	Spencer

Mrs. Colson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Bray raised the following points of order:

Point of order on tax bill remission (House Bill No. 1079) authored by Mrs. Colson.

"Article 8, Section 10 of the Texas Constitution specifically requires a two-thirds vote to release State taxes . . . such House Bill No. 1079 was not engrossed with a two-thirds vote, and accordingly, the House Bill No. 1079 is subject to the above point of order."

Point of order, House Bill No. 1079, by Mrs. Colson.

"Article 8, Section 10, Constitution of Texas, provides specifically that a two-thirds vote is required to release State taxes to any county, etc., and, Mr. Speaker, I respectfully raise the point of order that House Bill No. 1079 did not receive a two-thirds vote on final passage and as a consequence fails of final passage."

The Speaker overruled the points of order, stating his reasons as follows:

"The actual vote being shown on the enrolled bill, the Chair overrules the point of order, believing that the matter should be left to the courts to decide in case of dispute."

RELATIVE TO HOUSE BILL NO. 756

Mr. Blankenship moved that the Attorney General be requested to render an opinion as to the constitutionality of House Bill No. 756.

The motion prevailed.

RELATIVE TO HOUSE BILL NO. 580

The Speaker announced the appointment of Mr. Daniel as conferee on House Bill No. 580, in place of Mr. Thornberry.

HOUSE BILL NO. 828 ON SECOND READING

On motion of Mr. Nicholson, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 828.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 828, A bill to be entitled "An Act making an appropriation for use and benefit of the Lower Neches Valley Authority, and declaring an emergency."

The bill was read second time.

Mr. Alsup offered the following amendments to the bill:

Amend House Bill No. 828, by inserting as Section 1-A, the following:

"Section 1-A. This appropriation shall be treated as a loan from the State of Texas to the Lower Neches Valley Authority, and shall be repaid to the State of Texas by the Lower Neches Valley Authority from the first revenue of the Authority."

ALSUP,
NICHOLSON.

Amend House Bill No. 828, Section 1, by striking out the figures "\$15,000.00" wherever they appear, and insert in lieu thereof, the figures "\$10,000.00".

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 828 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 828 ON THIRD READING

Mr. Nicholson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 828 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—76

Alsup	Johnson of Tarrant
Anderson	Kersey
Baker	Kinard
of Fort Bend	King
Baker of Grayson	Leonard
Bell	Leyendecker
Boyd	Lock
Boyer	London
Bradford	McAlister
Bridgers	McDaniel
Bundy	McDonald
Burney	McFarland
Cauthorn	McMurry
Celaya	Mohrmann
Chambers	Montgomery
Clark	Nicholson
Cleveland	Pace
Cockrell	Pevehouse
Colson, Mrs.	Pope
Corry	Reader of Bexar
Daniel	Reaves
Derden	Reed
Dickison	Riviere
Donaghey	Roberts
Felty	Robinson
Gilmer	Schuenemann
Goodman	Segrist
Gordon, Mrs.	Shell
Hamilton	Smith of Frio
Hankamer	Stinson
Hardin	Tarwater
Harper	Taylor
Harrell of Bastrop	Thornberry
Hartzog	Thornton
Heflin	Vale
Hull	Voigt
Hunt	Waggoner
Isaacks	Winfree
Johnson of Ellis	

Nays—46

Allen	Burkett
Bailey	Coleman
Blankenship	Cornett
Bond	Crossley
Bray	Davis of Upshur
Brown of Cherokee	Faulkner
Brown	Fuchs
of Nacogdoches	Galbreath

Hale	Russell
Harp	Skiles
Harris	Smith of Hopkins
Howington	Stoll
Kennedy	Tennant
Kern	Turner
Kerr	Vint
Langdon	Weldon
Lehman	Wells
Little	Westbrook
McNamara	White
Morris	Wilson
Piner	Wood
Reader of Erath	Worley
Rhodes	Wright
Roach	

Absent

Boethel	Howard
Broadfoot	Loggins
Colquitt	Mays
Davis of Jasper	Monkhouse
Dickson	Newell
Dowell	Oliver
Dwyer	Petsch
Hardeman	Ragsdale
Harrell of Lamar	Talbert

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

HOUSE BILL NO. 644 ON SECOND READING

Mr. Celaya moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 644.

The motion prevailed by the following vote:

Yeas—93

Anderson	Cockrell
Baker of Grayson	Coleman
Bell	Colson, Mrs.
Blankenship	Corry
Bond	Crossley
Boyd	Daniel
Boyer	Derden
Bradford	Dickison
Bridgers	Donaghey
Bundy	Dowell
Burney	Felty
Cauthorn	Fuchs
Celaya	Gilmer
Chambers	Goodman
Clark	Gordon, Mrs.
Cleveland	Hale

Hamilton	Montgomery
Hankamer	Nicholson
Hardeman	Petsch
Hardin	Pevehouse
Harp	Piner
Harper	Pope
Harrell of Bastrop	Reader of Bexar
Harris	Reader of Erath
Hartzog	Reaves
Heflin	Reed
Hull	Rhodes
Hunt	Riviere
Isaacks	Robinson
Johnson of Tarrant	Schuenemann
Kerr	Segrist
Kersey	Shell
Kinard	Skiles
King	Smith of Frio
Leonard	Stinson
Leyendecker	Talbert
Little	Tarwater
Lock	Taylor
Loggins	Thornberry
London	Thornton
McAlister	Turner
McDaniel	Vale
McDonald	Voigt
McFarland	Waggoner
McMurry	Wilson
McNamara	Winfree
Mohrmann	

Nays—33

Allen	Lehman
Alsup	Newell
Bailey	Pace
Bray	Roach
Broadfoot	Roberts
Brown of Cherokee	Russell
Burkett	Stoll
Colquitt	Tennant
Cornett	Vint
Davis of Upshur	Weldon
Faulkner	Wells
Galbreath	Westbrook
Harrell of Lamar	White
Howington	Wood
Kennedy	Worley
Kern	Wright
Langdon	

Present—Not Voting
Brown
of Nacogdoches

Absent

Baker	Johnson of Ellis
of Fort Bend	Mays
Boethel	Monkhouse
Davis of Jasper	Morris
Dickson	Oliver
Dwyer	Ragsdale
Howard	Smith of Hopkins

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 644, A bill to be entitled "An Act making an appropriation of Thirty-five Thousand (\$35,000.00) Dollars to defray the State of Texas' proportion of the expenses for an investigation to be conducted by the National Resources Committee through the Water Resources Committee and other Federal Agencies conducted under Acts of Congress for the purpose of making a complete survey of the Rio Grande from Ft. Quitman to its mouth in the Gulf of Mexico, for the purpose of ascertaining the maximum development of said river for flood control, irrigation, drainage and power in the order named, and declaring an emergency."

The bill was read second time.

Mr. Celaya offered the following committee amendment to the bill:

Amend House Bill No. 644, by striking out all below the enacting clause, and inserting in lieu thereof, the following:

"Section 1. There is hereby appropriated for the payment of what is considered the State's part of the cost of making a complete water survey of the Rio Grande River and its watershed from Fort Quitman, Texas, to the mouth of said river, to be used with other funds to be furnished by the United States Government and its agencies in making such complete survey, the sum of \$35,000.00. This appropriation, however, is contingent upon the United States Government, or one or more of its agencies, matching same by appropriating, or allocating, for the purposes set forth herein the total sum of not less than \$250,000.00, including the moneys heretofore expended and to be expended under the allocation of \$130,000.00 made to the State Department in 1938, and now being spent by the said State Department through the American Branch of the International Boundary Commission.

Section 2. Said appropriation shall remain available for such use until expended, provided that the Governor of the State of Texas shall receive official notice from the United States Government, or one or more of its agencies, prior to January 1, 1941, that such survey will be undertaken by the United States Government, or one or more of its agencies. If no such official notice shall be communicated to the Governor of the State of Texas by said date, the appropriation hereby made shall lapse and said appropriated money shall be placed to the credit of the General Fund of the State of Texas.

Section 3. Said money may be expended upon vouchers approved by the Governor of Texas. As and when a voucher is approved by the Governor, the Comptroller of Public Accounts is authorized to draw a warrant on the State Treasurer in the amount of the approved voucher, payable to the order of the payee named in such voucher.

Sec. 4. The facts that the richest agricultural development in the State of Texas is situated near the mouth of the Rio Grande river; that said lands are almost wholly dependent on irrigation through waters made available in the channel of the Rio Grande river; that the stability of said supply is seriously threatened, thus necessitating a complete survey to assure the use of available water to the fullest degree of efficiency; that other economical uses be made of such waters as required under the Constitution of the State; that the lands in the Lower Rio Grande Valley are subjected to torrential floods; create an emergency and an imperative public necessity that the Constitutional rule prohibiting the final passage of a bill during the first sixty days of the Regular Session of the Legislature and requiring that all bills be read in both Houses on three several days, be suspended and said rules are hereby suspended, and that this bill be effective immediately from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Celaya offered the following committee amendment to the bill:

Amend House Bill No. 644, by striking out all above the enacting clause

and inserting in lieu thereof, the following:

H. B. No. 644

"A BILL

To Be Entitled

An Act making appropriation to defray the equitable portion which the State of Texas should make available to the United States Government, or its agencies for completion of the water survey of the Rio Grande River and its watershed from Fort Quitman south to the mouth of the Rio Grande River; enacting provisions incident to and relating to the subject, and declaring an emergency.

Whereas, The Regular Session of the Forty-fifth Legislature enacted Chapter 18, under the provisions of which the State made available \$18,333.33 to pay the State's portion of the cost of the Rio Grande River Joint Investigation then being conducted by the National Resources Committee, through the Water Resources Committee, under an appropriate Act of Congress; and

Whereas, The agencies of the United States Government, including said National Resources Committee, are utilizing said funds furnished by the State of Texas along with some \$300,000.00 of money furnished by the United States Government and other States, in making a complete survey of the Rio Grande Watershed from its source in the State of Colorado to Fort Quitman south of the City of El Paso, Texas; and

Whereas, Due to the intense development of agricultural lands in the Lower Rio Grande Valley of Texas, and to the necessity of determining the other economical uses which can be made of such water under the provisions of Article B, Section 59 of the Constitution and laws enacted pursuant thereto, there is immediate necessity that said survey be extended and completed so as to make similar information available concerning the Rio Grande River and its Watershed between Fort Quitman and the mouth of the river near Brownsville; and

Whereas, The State of Texas is willing to pay as its contribution toward the making of such completed water survey, the sum of money hereinafter specified and appropriated; and

Whereas, The Legislature is assured that said National Resources Committee, through the Water Resources Committee and other agencies of the United States Government, are willing to cooperate in completing said survey from Fort Quitman to the mouth of the Rio Grande River, involving an expenditure of \$300,000.00 or more."

CELAYA,
LEONARD,
VALE.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 644 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL
NO. 644 ON THIRD
READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 644 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—96

Alsup	Dickson
Anderson	Donaghey
Baker	Dowell
of Fort Bend	Felty
Baker of Grayson	Fuchs
Bell	Gilmer
Blankenship	Gordon, Mrs.
Bond	Hale
Boyd	Hamilton
Boyer	Hankamer
Bridgers	Hardeman
Bundy	Hardin
Burney	Harp
Cauthorn	Harper
Celaya	Harrell of Bastrop
Chambers	Harris
Clark	Hartzog
Cleveland	Heflin
Cockrell	Holland
Coleman	Hull
Colquitt	Hunt
Colson, Mrs.	Isaacks
Corry	Johnson of Tarrant
Crossley	Kersey
Daniel	Kinard
Derden	King
Dickison	Leonard

Leyendecker	Rhodes
Lock	Riviere
Loggins	Robinson
London	Schuenemann
McAlister	Segrist
McDonald	Shell
McFarland	Skiles
McMurry	Smith of Frio
McNamara	Stinson
Mohrmann	Stoll
Monkhouse	Talbert
Montgomery	Tarwater
Morris	Taylor
Nicholson	Thornberry
Petsch	Thornton
Pevehouse	Turner
Piner	Vale
Pope	Voigt
Reader of Bexar	Waggoner
Reader of Erath	Wilson
Reaves	Winfree
Reed	

Nays—33

Allen	Little
Bailey	Newell
Bray	Oliver
Broadfoot	Pace
Brown of Cherokee	Roach
Burkett	Roberts
Cornett	Russell
Davis of Upshur	Tennant
Faulkner	Vint
Galbreath	Weldon
Harrell of Lamar	Wells
Howington	Westbrook
Kennedy	White
Kern	Wood
Kerr	Worley
Langdon	Wright
Lehman	

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Johnson of Ellis
Bradford	Mays
Davis of Jasper	McDaniel
Dwyer	Ragsdale
Goodman	Smith of Hopkins
Howard	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 1081 ON SECOND READING

On motion of Mr. Monkhouse, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1081.

(Mr. Leonard in the Chair.)

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1081, A bill to be entitled "An Act making an appropriation for the Upper Guadalupe River Authority; designating who shall have authority to execute vouchers under the directions and with the consent of Directors of said district; limiting the purposes for which the money may be spent; providing money therein appropriated is intended as a loan and is to be repaid to the State General Revenue Fund from the first revenue received by said district, and declaring an emergency."

The bill was read second time.

Mr. Gilmer offered the following amendment to the bill:

Amend Section 2 of House Bill No. 1081, by changing the "period" at the end of said Section to a "comma," and adding the words "and it is so enacted."

The amendment was adopted.

House bill No. 1081 was then passed to engrossment.

(Speaker in the Chair.)

HOUSE BILL NO. 1081 ON THIRD READING

Mr. Gilmer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1081 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Mr. Speaker	Boyer
Alsup	Bradford
Anderson	Bridgers
Baker	Broadfoot
of Fort Bend	Brown of Cherokee
Baker of Grayson	Bundy
Bell	Burney
Blankenship	Cauthorn
Bond	Celaya
Boyd	Chambers

Clark	Mays
Cleveland	McAlister
Cockrell	McDaniel
Colson, Mrs.	McDonald
Corry	McFarland
Daniel	McMurry
Davis of Upshur	Mohrmann
Dickison	Montgomery
Dickson	Morris
Donaghey	Newell
Dowell	Nicholson
Dwyer	Petsch
Faulkner	Pevehouse
Felty	Piner
Fuchs	Pope
Galbreath	Reader of Bexar
Gilmer	Reader of Erath
Goodman	Reaves
Gordon, Mrs.	Reed
Hale	Riviere
Hamilton	Roberts
Hankamer	Robinson
Hardeman	Schuenemann
Hardin	Segrist
Harp	Shell
Harper	Skiles
Harrell of Bastrop	Smith of Frio
Harrell of Lamar	Smith of Hopkins
Harris	Stinson
Hartzog	Stoll
Heflin	Talbert
Hull	Tarwater
Hunt	Taylor
Isaacks	Thornberry
Johnson of Tarrant	Thornton
Kersey	Turner
Kinard	Vale
King	Voigt
Leonard	Wells
Leyendecker	White
Little	Winfree
Lock	Worley
Loggins	Wright
London	

Nays—25

Allen	Oliver
Bailey	Pace
Bray	Rhodes
Burkett	Roach
Cornett	Russell
Crossley	Tennant
Howington	Vint
Kennedy	Waggoner
Kern	Weldon
Kerr	Westbrook
Langdon	Wilson
Lehman	Wood
McNamara	

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Howard
Coleman	Johnson of Ellis
Colquitt	Monkhouse
Davis of Jasper	Ragsdale
Derden	

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

The Speaker then laid House Bill No. 1081 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97

Alsup	Harper
Anderson	Harrell of Bastrop
Baker	Harrell of Lamar
of Fort Bend	Harris
Baker of Grayson	Hartzog
Bell	Heflin
Blankenship	Howard
Bond	Hull
Boyd	Hunt
Boyer	Johnson of Tarrant
Bradford	Kersey
Bridgers	Kinard
Broadfoot	King
Bundy	Leonard
Burney	Leyendecker
Cauthorn	Little
Celaya	Lock
Chambers	Loggins
Clark	London
Cleveland	McAlister
Cockrell	McDaniel
Colson, Mrs.	McDonald
Corry	McFarland
Daniel	McMurry
Davis of Upshur	Mohrmann
Dickison	Monkhouse
Dickson	Montgomery
Donaghey	Newell
Dowell	Nicholson
Faulkner	Petsch
Felty	Pevehouse
Galbreath	Piner
Gilmer	Pope
Goodman	Reader of Bexar
Gordon, Mrs.	Reader of Erath
Hale	Reaves
Hamilton	Reed
Hankamer	Riviere
Hardeman	Roberts
Hardin	Robinson
Harp	Schuenemann

Segrist
Shell
Skiles
Smith of Frio
Stinson
Stoll
Talbert
Tarwater

Taylor
Thornberry
Thornton
Turner
Vale
Voigt
Winfree
Wright

Nays—31

Allen	McNamara
Bailey	Oliver
Bray	Pace
Brown of Cherokee	Rhodes
Brown of Nacogdoches	Roach
Burkett	Russell
Cornett	Tennant
Crossley	Vint
Fuchs	Waggoner
Howington	Weldon
Kennedy	Wells
Kern	Westbrook
Kerr	White
Langdon	Wilson
Lehman	Wood
	Worley

Absent

Boethel	Isaacks
Coleman	Johnson of Ellis
Colquitt	Mays
Davis of Jasper	Morris
Derden	Ragsdale
Dwyer	Smith of Hopkins

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

MOTION TO PLACE HOUSE BILL
NO. 828 ON THIRD
READING

Mr. Nicholson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 828 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—103

Alsup	Bell
Anderson	Blankenship
Baker	Bond
of Fort Bend	Boyd
Baker of Grayson	Boyer

Bradford
Bridgers
Broadfoot
Brown of Cherokee
Bundy
Burney
Cauthorn
Celaya
Chambers
Clark
Cleveland
Cockrell
Coleman
Colson, Mrs.
Corry
Daniel
Derden
Dickson
Donaghey
Dowell
Faulkner
Felty
Galbreath
Gilmer
Goodman
Gordon, Mrs.
Hamilton
Hankamer
Hardeman
Hardin
Harper
Harrell of Bastrop
Harrell of Lamar
Harris
Hartzog
Heflin
Holland
Howard
Hull
Hunt
Isaacks
Johnson of Ellis
Johnson of Tarrant
Kersey
Kinard
King
Langdon

Leonard
Leyendecker
Lock
Loggins
London
McAlister
McDaniel
McDonald
McFarland
McMurry
McNamara
Mohrmann
Monkhouse
Montgomery
Morris
Newell
Nicholson
Oliver
Petsch
Piner
Pope
Ragsdale
Reader of Bexar
Reader of Erath
Reaves
Reed
Riviere
Roberts
Robinson
Schuenemann
Segrist
Shell
Skiles
Smith of Frio
Stinson
Stoll
Talbert
Tarwater
Taylor
Thornberry
Thornton
Turner
Vale
Waggoner
Winfree
Worley
Wright

Nays—29

Allen	Kern
Bailey	Kerr
Bray	Lehman
Burkett	Pace
Cornett	Pevehouse
Crossley	Rhodes
Davis of Upshur	Roach
Dickson	Russell
Fuchs	Tennant
Hale	Vint
Harp	Weldon
Howington	Wells
Kennedy	Westbrook

White	Wood
Wilson	
Present—Not Voting	
Brown	
of Nacogdoches	
Absent	
Boethel	Little
Colquitt	Mays
Davis of Jasper	Smith of Hopkins
Dwyer	Voigt
Absent—Excused	
Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 748 ON SECOND READING

On motion of Mr. Hartzog (on Mr. Taylor's suspension) the regular order of business was suspended, to take up, and have placed on its second reading, and passage to engrossment, House Bill No. 748.

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 748, A bill to be entitled "An Act to aid the City of Port Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of 20 years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor, and to declare an emergency; by extending the provisions of said Act for a period of 30 years from September 1st, 1920, to aid the City of Port Lavaca to pay interest and sinking funds upon outstanding bonds heretofore issued or hereafter issued, the proceeds of which have been used exclusively in the construction and maintaining a sea wall, breakwater, harbor and shore protection, to protect the City of Port La-

vaca and issues bonds for further construction; providing that said remission shall not affect the homestead exemption in said County, and providing the Act shall become null and void upon the passage of the Constitutional amendment abolishing the State ad valorem tax."

The bill was read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 748, by striking out all after the enacting clause, and insert in lieu thereof, the following:

"That Section 1, Chapter 24, of the Third Called Session of the Acts of the Thirty-sixth Legislature be amended to hereafter read, as follows:

'Section. 1. That for a period of thirty years, commencing with the fiscal year beginning September 1, 1920, there be and are hereby donated and granted by the State of Texas to the City of Port Lavaca the net amount of the State ad valorem taxes to be collected on all property and from all persons owning property in Calhoun County, Texas, including the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law; provided that from and after September 1, 1940, Three Thousand (\$3,000.00) Dollars of the assessed taxable values of all resident homesteads, as now defined by law, in Calhoun County, shall be exempt from all taxation for the purposes enumerated in this Act, as well as for all State purposes.

'Sec. 2. At the end of each month the collector of taxes for Calhoun County shall, on forms to be furnished by the Comptroller, showing each and every item of State ad valorem taxes collected by him, and provided in this Act, upon property and from persons owning property within the County of Calhoun, accompanying the same with a summarized statement showing the full disposition of all such State taxes collected; and said collector shall present such report, together with the tax receipt stubs authorized by law to be kept, to the county clerk of Calhoun County who shall, within three days, compare said report with said stubs, and if the same agree in every particular, as regards names, dates and amounts, the clerk shall

certify to its correctness, for which examination and certificates he shall be paid by the commissioners court twenty-five cents for each certificate, and twenty-five cents for each one hundred tax payers shown in said report. The collector shall then immediately forward his reports so certified to said Comptroller, and shall pay over to the city treasurer of the City of Port Lavaca all moneys collected by him, during said month, under the provisions of this Act, except such amounts as are allowed by law for assessing and collecting the same, and shall forward a duplicate copy of the receipt given to him by the treasurer of the City of Port Lavaca for such moneys to said Comptroller.

'Sec. 3. The city treasurer of the City of Port Lavaca shall, at the end of each month, make an itemized report, under oath, to the Comptroller of Public Accounts, showing the amount of money received by him from the collector of taxes, for Calhoun County, and what disbursements, if any, have been made during such month, of such money.

'Sec. 4. The municipal authorities of the City of Port Lavaca shall, on the first Monday of January of each year, cause to be made an itemized statement, under oath, and in triplicate, showing the amount of money received by the City of Port Lavaca under this Act, and how, to whom, and for what purpose the same has been expended. One copy of such statement, after having been audited, shall be filed with the county clerk of Calhoun County, as herein provided, and one shall be forwarded to the Comptroller of Public Accounts and the other filed with the secretary of said city. The same statement shall be sworn to by the treasurer of the City of Port Lavaca, and the correctness thereof shall be certified by auditor appointed by the commissioners court of Calhoun County, who shall, while auditing said statement, have before him all vouchers upon which the expenditures have been made from said funds. No item of expenditure shall be allowed or passed by said auditor unless he shall have in his possession legal and proper vouchers therefor, showing compliance with this Act. Upon the completion of said audits the said report and all vouchers shall be attached together, numbered consecutively, and be by said auditor re-

turned to, and thereafter safely kept by the county clerk of Calhoun County as a part of the records of his office. For all services rendered by reason of this Act, the said auditor shall be allowed such compensation as shall be fixed by said commissioners court at the time of his appointment, and shall be paid by said city out of said funds.

'Sec. 5. The moneys hereby granted and donated to the City of Port Lavaca are declared to be trust funds for the purpose of aiding the said City of Port Lavaca in paying the interest and sinking fund upon an issue or issues of bonds, the proceeds of which are to be used exclusively in constructing and maintaining revetments and in the restoring, protection and improvements of the harbor and bay shore fronts of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements. The use or diversion of such moneys for any other purpose whatever is hereby prohibited; provided that whenever the moneys in the hands of the City Treasurer, received from the State under the provisions of this Act, or any other law in effect, shall exceed the sum of one year's interest and two per cent sinking fund on the bonds herein referred to that have been issued and are outstanding, such excess shall be invested by said city in the purchase of said bonds, or bonds of the United States, the State of Texas, or the bonds of any county, city or town of the State of Texas, bearing interest at a rate of not less than four per cent per annum; and provided further, that the entire sinking fund, when received by the City Treasurer of said city shall be invested by the municipal authorities of said city as received, in the bonds herein referred to, or bonds of the United States, the State of Texas, or the bonds of any county, city or town in the State of Texas, bearing interest at a rate not less than four per cent per annum, provided, that so soon as the taxes herein donated shall provide a sufficient sum in the sinking fund to redeem all bonds issued as herein provided then and thereupon all subsequent taxes herein donated shall revert to the State. A violation of the provisions of this Act shall constitute a misapplication of public

money, and the person or persons so offending shall be punished as provided in Article 96 of the Penal Code of the State of Texas.

'Sec. 6. For the purpose of enabling the said City of Port Lavaca to make, construct and maintain the improvements herein provided for, the said city is hereby authorized to issue the bonds of said city in an amount which, added to the city bonds outstanding, will not exceed twenty-five per cent of the total valuation of property within the corporate limits of said city, as shown by the last preceding tax rolls of said City of Port Lavaca, and the issuance of said bonds shall be governed by the General Laws of the State of Texas relating to the issuance of municipal bonds, as found in Title 18 of the Revised Statutes of the State of Texas, 1911, and amendments thereto, insofar as not in conflict with this Act.

'Sec. 7. The fact that the City of Port Lavaca is located upon a bay and waterfront, and there are not now facilities for handling freight and passengers by water at said city, nor for the accommodation and protection of people who spend a considerable portion of the year in Port Lavaca for the benefit of their health and for pleasure, and that the danger from storms is a menace which deters individuals from investing money in such facilities, creates an emergency and an imperative public necessity requiring that the Constitutional Rule providing that bills be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.'

Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 748, on page 1, by inserting on line 17, between the word "taxes" and the word "no", the following: "not otherwise donated, granted or appropriated to Calhoun County".

The amendment was adopted.

The committee amendment, as amended, was then adopted.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 748, by striking out all above the enacting clause,

and insert in lieu thereof, the following:

"A BILL

To Be Entitled

An Act to amend Chapter 24, of the Acts of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, the same being an Act entitled, 'An Act to aid the City of Port Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor, and bay shore front of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of thirty years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor; provided that from and after September 1, 1940, Three Thousand (\$3,000.00) Dollars of the assessed taxable values of all resident homesteads, as now defined by law, in Calhoun County, shall be exempt from all taxation for the purposes enumerated in this Act, as well as for all State purposes, and to declare an emergency.

"Whereas, The City of Port Lavaca was greatly damaged in the disastrous storm of September, A. D. 1919, and all property on the bay front, below the bluff was completely demolished and destroyed, and that said storm caused the most serious damage to the bay front on which said city is located and that the erosion was so great as to cause serious damage to property and leaves the city dangerously exposed to still greater storm damages in the future, and said city is utterly unable, from a financial standpoint to restore said destruction or to protect itself in the future from similar destruction, and the storm further demonstrated the fact that there is great and urgent need for greater harbor protection for our shipping, fish, oyster, mud shell and other industries. That said bay shore should

be protected to prevent further erosions from future storms, and said harbor protection furnished.

"Whereas, It is the desire of the tax paying citizens of the said City of Port Lavaca that improvements be made to secure the protection, and reparation from the damages above mentioned, and that said city be authorized to issue interest bearing bonds to enable it to make such protective improvements: Therefore:"

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 748 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 748 ON THIRD READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 748 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—64

Anderson	Johnson of Ellis
Baker	Johnson of Tarrant
of Fort Bend	Kersey
Baker of Grayson	Kinard
Blankenship	King
Boyer	Leonard
Bradford	Leyendecker
Burney	Little
Celaya	Lock
Cleveland	Loggins
Cockrell	McAlister
Colson, Mrs.	McDaniel
Corry	McDonald
Daniel	McMurry
Derden	Mohrmann
Dickison	Monkhouse
Donaghey	Montgomery
Gilmer	Nicholson
Goodman	Petsch
Gordon, Mrs.	Pope
Hamilton	Ragsdale
Hankamer	Reader of Bexar
Hardin	Reader of Erath
Harp	Reed
Harper	Roberts
Harrell of Bastrop	Robinson
Hartzog	Schuenemann
Heflin	Segrist
Hull	Shell

Stinson	Thornton
Stoll	Vale
Tarwater	Voigt
Taylor	

Nays—53

Allen	Hunt
Alsup	Kennedy
Bailey	Kern
Boyd	Kerr
Bray	Langdon
Brown of Cherokee	Lehman
Brown	London
of Nacogdoches	Mays
Bundy	McFarland
Burkett	McNamara
Cauthorn	Newell
Clark	Pace
Coleman	Rhodes
Colquitt	Roach
Cornett	Russell
Crossley	Talbert
Davis of Upshur	Tennant
Dickson	Thornberry
Dowell	Vint
Faulkner	Weldon
Fuchs	Wells
Galbreath	Westbrook
Hale	White
Hardeman	Wilson
Harrell of Lamar	Wood
Harris	Worley
Howington	Wright

Absent

Bell	Oliver
Boethel	Pevehouse
Bond	Piner
Bridgers	Reaves
Broadfoot	Riviere
Chambers	Skiles
Davis of Jasper	Smith of Frio
Dwyer	Smith of Hopkins
Felty	Turner
Howard	Waggoner
Isaacks	Winfree
Morris	

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

HOUSE BILL NO. 1083 ON SECOND READING

On motion of Mr. Smith of Frio, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment, House Bill No. 1083.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1083, A bill to be entitled "An Act to aid the Nueces River Conservation and Reclamation District, embracing the Counties of Live Oak, McMullen, Frio, Zavalla, Atascosa, Real, Bee, Uvalde, Dimmit, Bandera, Medina, La Salle and Edwards, in carrying out the powers, duties and functions conferred upon such District by the Legislature; granting and donating to such District, with limitations, for a period of twenty (20) years, fifty (50%) per cent of all the State ad valorem taxes for General Revenue purposes upon the property and from persons and counties comprising in whole or in part such District, and declaring an emergency."

The bill was read second time.

Mr. Smith of Frio offered the following amendments to the bill:

Amend House Bill No. 1083, Section 2, page 2 of the mimeographed copy of the bill, by striking out the words "respective district for the purpose of carrying out the powers, duties and functions conferred upon such District by the Legislature of the State of Texas" in the last sentence of Section 2, and inserting in lieu thereof, the words: "said District for the purpose of purchasing land for canals, dam sites, and submerged lands created by the construction of dams, such Nueces River and its tributaries, and for paying off bonds, interest, and sinking funds for bonds where such bonds were issued by said District for the purchase of such canals, dam sites and submerged lands".

Amend House Bill No. 1083, Section 2, page 1 of the printed bill, by striking out the words and figures "twenty (20) years" of the first sentence of Section 2, and inserting in lieu thereof the words and figures "ten (10) years".

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1083 was then passed to engrossment by the following vote:

Yeas—60

Baker	Leyendecker
of Fort Bend	Little
Boethel	Lock
Boyer	Loggins
Bradford	McAlister
Bundy	McMurry
Burney	McNamara
Cauthorn	Monkhouse
Cleveland	Montgomery
Cockrell	Petsch
Coleman	Pevehouse
Colson, Mrs.	Piner
Corry	Pope
Daniel	Ragsdale
Dickison	Reader of Bexar
Dickson	Reader of Erath
Donaghey	Rhodes
Galbreath	Riviere
Gilmer	Roberts
Goodman	Robinson
Gordon, Mrs.	Schuenemann
Hankamer	Shell
Hardin	Smith of Frio
Harrell of Bastrop	Tarwater
Hartzog	Taylor
Hull	Thornton
Johnson of Tarrant	Turner
Kersey	Vale
Kinard	Voigt
King	Winfree
Lehman	

Nays—59

Allen	Howington
Alsup	Hunt
Bailey	Isaacks
Baker of Grayson	Kennedy
Blankenship	Kern
Bond	Kerr
Boyd	Langdon
Bray	London
Bridgers	Mays
Broadfoot	McFarland
Brown of Cherokee	Newell
Brown	Nicholson
of Nacogdoches	Pace
Burkett	Reed
Clark	Roach
Colquitt	Russell
Cornett	Segrist
Crossley	Skiles
Davis of Upshur	Stinson
Derden	Stoll
Faulkner	Talbert
Hale	Tennant
Hamilton	Thornberry
Hardeman	Vint
Harper	Waggoner
Harrell of Lamar	Weldon
Harris	Wells

Westbrook
White
Wilson

Wood
Worley
Wright

Absent

Anderson
Bell
Celaya
Chambers
Davis of Jasper
Dowell
Dwyer
Felty
Fuchs
Harp
Heflin

Howard
Johnson of Ellis
Leonard
McDaniel
McDonald
Mohrmann
Morris
Oliver
Reaves
Smith of Hopkins

Absent—Excused

Allison
Bradbury
Dean
Ferguson
Fielden

Holland
Keith
Smith
of Matagorda
Spencer

SENATE BILL NO. 11 ON SECOND READING

On motion of Mr. Donaghey, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 11.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 11, A bill to be entitled "An Act making an appropriation for the Pease River Flood Control District, etc., and declaring an emergency."

The bill was read second time.

Mr. Donaghey offered the following committee amendment to the bill:

Amend Senate Bill No. 11, by striking out all below the enacting clause, and inserting in lieu thereof, the following:

"Section 1. There is hereby appropriated for the use of the Pease River Flood Control District, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Six Thousand (\$6,000.00) Dollars, which may be withdrawn from time to time on vouchers signed by the General Manager and Treasurer of the District, upon which the State Comptroller shall draw his warrant upon the Treasurer of the State of Texas; said funds are to be used under the direction and only with the consent of the Directors of the Pease River Flood

Control District, a district created by an Act of the First Called Session of the Forty-fourth Legislature, and said funds shall be used for the uses and purposes set forth in said Act. The money herein appropriated is intended only as a loan to the Pease River Flood Control District and is to be repaid to the General Fund of this State by said District out of the first revenue received by said District.

Section 2. The fact that the flood waters of Pease River at periodic intervals cause heavy damage to highway and railroad bridges, farm lands, and other valuable property, running into the hundreds of thousands of dollars, and the further fact that said damages are recurrent unless controlled, and the further fact that a definite organization has been established with the objective of controlling said flood waters, and that further damage can only be prevented by effective control measures undertaken cooperatively, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule that bills be read on three separate days in each House, and said Rule is hereby suspended, and this Act shall take effect, and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 11 was then passed to third reading.

MOTION TO PLACE SENATE BILL NO. 11 ON THIRD READING

Mr. Donaghey moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 11 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—92

Alsup	Boethel
Baker	Bond
of Fort Bend	Boyd
Baker of Grayson	Bradford
Bell	Bray
Blankenship	Bridgers

Bundy	Little
Burney	Lock
Cauthorn	Loggins
Celaya	London
Clark	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Coleman	McFarland
Colson, Mrs.	McMurry
Corry	Mohrmann
Daniel	Montgomery
Derden	Newell
Dickison	Nicholson
Dickson	Petsch
Donaghey	Pevehouse
Dwyer	Piner
Felty	Pope
Galbreath	Ragsdale
Gilmer	Reader of Bexar
Gordon, Mrs.	Reader of Erath
Hamilton	Reed
Hankamer	Riviere
Hardeman	Roberts
Hardin	Robinson
Harp	Russell
Harper	Schuenemann
Harris	Segrist
Hartzog	Shell
Heflin	Skiles
Holland	Smith of Frio
Hull	Stinson
Hunt	Tarwater
Isaacks	Taylor
Johnson of Ellis	Thornberry
Johnson of Tarrant	Thornton
Kersey	Turner
Kinard	Vale
King	Voigt
Lehman	Winfree
Leonard	Worley
Leyendecker	

Nays—35

Allen	Langdon
Bailey	Mays
Broadfoot	McNamara
Brown of Cherokee	Pace
Brown of Nacogdoches	Rhodes
Burkett	Roach
Cornett	Smith of Hopkins
Crossley	Stoll
Davis of Upshur	Talbert
Faulkner	Tennant
Fuchs	Vint
Hale	Waggoner
Harrell of Lamar	Weldon
Howington	Wells
Kennedy	Westbrook
Kern	White
Kerr	Wilson
	Wood

Absent

Anderson	Harrell of Bastrop
Boyer	Howard
Chambers	Monkhouse
Colquitt	Morris
Davis of Jasper	Oliver
Dowell	Reaves
Goodman	Wright

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 1040 ON SECOND READING

On motion of Mr. Reaves (on Mr. Derden's suspension), the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1040.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1040, A bill to be entitled "An Act making an appropriation of Three Thousand (\$3,000.00) Dollars, or so much thereof as may be necessary to aid and facilitate the work to be performed by the Lower Concho River Water and Soil Conservation Authority; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said Authority, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 1040 ON THIRD READING

Mr. Reaves moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1040 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—90

Anderson	Baker of Grayson
Baker	Bell
of Fort Bend	Blankenship

Boethel	Leonard
Boyd	Leyendecker
Boyer	Lock
Bradford	Loggins
Bray	London
Bridgers	Mays
Bundy	McAlister
Burney	McDaniel
Cauthorn	McDonald
Celaya	McFarland
Clark	McMurry
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colson, Mrs.	Nicholson
Corry	Petsch
Daniel	Pevehouse
Davis of Upshur	Pope
Dickison	Ragsdale
Dickson	Reader of Bexar
Donaghey	Reader of Erath
Dowell	Reaves
Fuchs	Riviere
Galbreath	Roach
Gordon, Mrs.	Roberts
Hamilton	Robinson
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Skiles
Harrell of Bastrop	Smith of Frio
Harrell of Lamar	Talbert
Harris	Tarwater
Hartzog	Taylor
Heflin	Thornberry
Holland	Thornton
Hull	Turner
Hunt	Vale
Isaacks	Voigt
Johnson of Ellis	Winfree
Johnson of Tarrant	Worley
Kersey	Wright
Kinard	

Nays—38

Allen	Little
Alsup	McNamara
Bailey	Newell
Bond	Oliver
Broadfoot	Pace
Brown of Cherokee	Reed
Burkett	Rhodes
Colquitt	Russell
Cornett	Smith of Hopkins
Crossley	Stinson
Faulkner	Stoll
Hale	Tennant
Harper	Vint
Howington	Waggoner
Kennedy	Weldon
Kern	Wells
Kerr	Westbrook
Langdon	White
Lehman	Wilson

Present—Not Voting
Brown
of Nacogdoches

Absent

Chambers	Goodman
Davis of Jasper	Howard
Derden	King
Dwyer	Morris
Felty	Piner
Gilmer	Wood

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 1106 ON SECOND READING

Mr. Langdon (on Mr. Thornton's suspension request) moved that the regular order of business, be suspended, to take up, and have placed on its second reading, and passage to engrossment, House Bill No. 1106.

The motion prevailed by the following vote:

Yeas—72

Alsup	Johnson of Tarrant
Anderson	Kennedy
Baker	Kerr
of Fort Bend	Langdon
Baker of Grayson	Lehman
Bell	Little
Boyer	Loggins
Bradford	Mays
Bray	McAlister
Bridgers	McDaniel
Brown	McDonald
of Nacogdoches	McFarland
Bundy	McMurry
Burney	McNamara
Cauthorn	Monkhouse
Celaya	Newell
Cleveland	Nicholson
Cockrell	Petsch
Colson, Mrs.	Pope
Corry	Ragsdale
Daniel	Reader of Erath
Dowell	Reed
Faulkner	Riviere
Galbreath	Roach
Gordon, Mrs.	Roberts
Hankamer	Robinson
Harrell of Bastrop	Russell
Hartzog	Schuenemann
Heflin	Segrist
Hull	Shell
Isaacks	Smith of Frio

Stinson	Wells
Taylor	Wilson
Thornberry	Winfree
Vale	Wood
Voigt	Worley
Waggoner	Wright

Nays—51

Bailey	Kern
Blankenship	Kersey
Boethel	King
Bond	Leyendecker
Boyd	Lock
Broadfoot	Mohrmann
Brown of Cherokee	Montgomery
Burkett	Morris
Clark	Oliver
Coleman	Pace
Colquitt	Pevehouse
Cornett	Piner
Crossley	Reader of Bexar
Davis of Upshur	Reaves
Dickison	Rhodes
Dickson	Skiles
Felty	Smith of Hopkins
Fuchs	Stoll
Hale	Talbert
Hardin	Tarwater
Harper	Tennant
Harrell of Lamar	Turner
Harris	Vint
Holland	Weldon
Howington	Westbrook
Hunt	

Absent

Allen	Hardeman
Chambers	Harp
Davis of Jasper	Howard
Derden	Johnson of Ellis
Donaghey	Kinard
Dwyer	Leonard
Gilmer	London
Goodman	Thornton
Hamilton	White

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1106, A bill to be entitled "An Act to amend Chapter 196, Acts of the Forty-third Legislature, 1933, by adding a new Section thereto to be designated as Section 4b and providing for the collection of an additional tuition fee of not more than

\$100.00 per semester or summer session from each student registered in the Medical Branch of the University of Texas, and providing for the fixing of such fee by the Board of Regents of said institution, and declaring an emergency."

The bill was read second time.

Mr. Langdon offered the following amendment to the bill:

Amend House Bill No. 1106 by adding the following sentence to Section 1:

"The Board of Regents is hereby authorized to exempt all students now enrolled in the Medical College from the increase in fees provided for under the provisions of this Section."

LANGDON,
THORNTON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

Mr. Hardin moved that House Bill No. 1106 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Allen	Goodman
Anderson	Hale
Bailey	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Bastrop
Blankenship	Harrell of Lamar
Boethel	Harris
Bond	Holland
Bridgers	Howington
Broadfoot	Johnson of Ellis
Brown of Cherokee	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Chambers	King
Cockrell	Lehman
Coleman	Leyendecker
Colquitt	Lock
Cornett	Loggins
Crossley	McDonald
Daniel	Mohrmann
Davis of Upshur	Montgomery
Dickson	Newell
Felty	Oliver
Fuchs	Pace
Galbreath	Pevehouse

Piner	Stinson
Reader of Bexar	Stoll
Reader of Erath	Talbert
Reaves	Tarwater
Rhodes	Tennant
Riviere	Turner
Roach	Weldon
Segrist	Westbrook
Skiles	Winfree
Smith of Frio	Worley
Smith of Hopkins	Wright

Nays—52

Alsup	Johnson of Tarrant
Bell	Langdon
Boyd	Leonard
Boyer	Little
Bradford	Mays
Bray	McAlister
Brown	McDaniel
of Nacogdoches	McFarland
Cauthorn	McMurry
Celaya	McNamara
Clark	Morris
Cleveland	Nicholson
Colson, Mrs.	Petsch
Corry	Reed
Derden	Roberts
Donaghey	Robinson
Dowell	Russell
Dwyer	Taylor
Faulkner	Thornberry
Gordon, Mrs.	Thornton
Hamilton	Vale
Hankamer	Voigt
Hardeman	Waggoner
Heflin	Wells
Howard	Wilson
Hull	Wood
Isaacks	

Absent

Davis of Jasper	Monkhouse
Dickison	Pope
Gilmer	Ragsdale
Hartzog	Schuenemann
Hunt	Shell
Kinard	Vint
London	White

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 644 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended,

and that House Bill No. 644 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Alsup	Hull
Anderson	Isaacks
Baker	Johnson of Ellis
of Fort Bend	Johnson of Tarrant
Baker of Grayson	Kern
Bell	Kerr
Blankenship	Kersey
Boethel	Kinard
Bond	King
Boyd	Lehman
Boyer	Leonard
Bradford	Leyendecker
Bridgers	Little
Broadfoot	Lock
Brown of Cherokee	Loggins
Bundy	London
Burney	McAlister
Cauthorn	McDaniel
Celaya	McDonald
Chambers	McFarland
Clark	McMurry
Cleveland	McNamara
Cockrell	Mohrmann
Coleman	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Oliver
Daniel	Petsch
Davis of Upshur	Pevehouse
Derden	Piner
Dickison	Pope
Dickson	Ragsdale
Donaghey	Reader of Bexar
Dowell	Reader of Erath
Dwyer	Reed
Faulkner	Rhodes
Fuchs	Riviere
Galbreath	Roach
Goodman	Roberts
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Skiles
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Bastrop	Stinson
Harrell of Lamar	Talbert
Harris	Tarwater
Hartzog	Taylor
Heflin	Thornberry
Holland	Thornton
Howard	Turner
Howington	Vale

Vint
Voigt
Waggoner
Weldon
Wells
White

Wilson
Winfree
Wood
Worley
Wright

Nays—13

Allen
Bailey
Bray
Burkett
Crossley
Kennedy
Langdon

Mays
Newell
Pace
Stoll
Tennant
Westbrook

Present—Not Voting

Brown
of Nacogdoches

Absent

Davis of Jasper
Feltz
Gilmer

Hunt
Reaves

Absent—Excused

Allison
Bradbury
Dean
Ferguson
Fielden

Keith
Smith
of Matagorda
Spencer

The Speaker then laid House Bill No. 644 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—96

Anderson
Baker
of Fort Bend
Baker of Grayson
Bell
Blankenship
Boethel
Bond
Boyd
Boyer
Bradford
Bridgers
Bundy
Burney
Cauthorn
Celaya
Chambers
Clark
Cleveland
Cockrell
Coleman
Colquitt
Colson, Mrs.
Corry
Crossley

Daniel
Derden
Dickison
Dowell
Ferguson
Galbreath
Goodman
Gordon, Mrs.
Hale
Hamilton
Hankamer
Hardeman
Hardin
Harrell of Bastrop
Harrell of Lamar
Harris
Hartzog
Heflin
Holland
Howard
Hull
Isaacks
Johnson of Ellis
Johnson of Tarrant
Kersey

Kinard
King
Langdon
Leonard
Leyendecker
Little
Lock
Loggins
London
Mays
McAlister
McDaniel
McDonald
McFarland
McMurry
Mohrmann
Montgomery
Morris
Nicholson
Petsch
Pevehouse
Piner
Pope
Ragsdale

Reader of Bexar
Reader of Erath
Reaves
Reed
Riviere
Robinson
Schuenemann
Segrist
Shell
Skiles
Smith of Frio
Stinson
Talbert
Tarwater
Taylor
Thornberry
Thornton
Vale
Voigt
Waggoner
Wells
Wilson
Wright

Nays—35

Allen
Alsup
Bailey
Bray
Broadfoot
Brown of Cherokee
Brown
of Nacogdoches
Burkett
Cornett
Davis of Upshur
Dickson
Faulkner
Fuchs
Howington
Kennedy
Kern
Kerr

Lehman
McNamara
Newell
Oliver
Pace
Rhodes
Roach
Roberts
Russell
Smith of Hopkins
Stoll
Tennant
Turner
Vint
Weldon
Westbrook
White
Worley

Absent

Davis of Jasper
Donaghey
Dwyer
Feltz
Gilmer
Harp

Harper
Hunt
Monkhouse
Winfree
Wood

Absent—Excused

Allison
Bradbury
Dean
Fielden

Keith
Smith
of Matagorda
Spencer

CONFERENCE COMMITTEE APPOINTED

On motion of Mr. Bell, the House granted the request of the Senate for

the appointment of a Conference Committee on Senate Bill No. 200.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 200: Messrs. Bell, Johnson of Tarrant, Segrist, Coleman and Schuenemann.

HOUSE BILL NO. 828 ON THIRD READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 828 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Alsup	Harrell of Lamar
Anderson	Harris
Baker	Hartzog
of Fort Bend	Heflin
Baker of Grayson	Holland
Bell	Howard
Blankenship	Hull
Boethel	Isaacks
Boyd	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradford	Kersey
Bridgers	Kinard
Broadfoot	King
Bundy	Lehman
Burney	Leonard
Cauthorn	Leyendecker
Celaya	Lock
Clark	Loggins
Cleveland	London
Cockrell	Mays
Coleman	McAlister
Colson, Mrs.	McDaniel
Corry	McDonald
Daniel	McFarland
Derden	McMurry
Dickson	McNamara
Dickson	Mohrmann
Dowell	Montgomery
Dwyer	Morris
Faulkner	Nicholson
Fuchs	Petsch
Galbreath	Pevehouse
Gilmer	Piner
Goodman	Pope
Gordon, Mrs.	Ragsdale
Hamilton	Reader of Bexar
Hankamer	Reader of Erath
Hardeman	Reaves
Hardin	Reed
Harp	Riviere
Harper	Roach
Harrell of Bastrop	Roberts

Robinson	Thornberry
Schuenemann	Thornton
Segrist	Turner
Shell	Vale
Skiles	Voigt
Smith of Hopkins	Waggoner
Stinson	White
Talbert	Winfree
Tarwater	Worley
Taylor	Wright

Nays—24

Allen	Langdon
Bailey	Little
Bray	Newell
Brown of Cherokee	Pace
Burkett	Rhodes
Cornett	Russell
Davis of Upshur	Stoll
Hale	Tennant
Howington	Weldon
Kennedy	Wells
Kern	Wilson
Kerr	Wood

Present—Not Voting

Bond	Brown of Nacogdoches
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Absent

Chambers	Hunt
Colquitt	Monkhouse
Crossley	Oliver
Davis of Jasper	Smith of Frio
Donaghey	Vint
Felty	Westbrook

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

The Speaker then laid House Bill No. 828 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—87

Alsup	Bridgers
Anderson	Bundy
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Celaya
Bell	Clark
Boethel	Cleveland
Bond	Cockrell
Boyer	Colson, Mrs.
Bradford	Corry

Daniel	McDonald
Derden	McFarland
Dickison	McMurry
Dickson	Mohrmann
Donaghey	Montgomery
Dowell	Morris
Ferguson	Nicholson
Fuchs	Petsch
Galbreath	Pevehouse
Gilmer	Piner
Goodman	Pope
Gordon, Mrs.	Ragsdale
Hamilton	Reader of Bexar
Hankamer	Reader of Erath
Hardin	Reaves
Harp	Reed
Harrell of Bastrop	Riviere
Harris	Roberts
Hartzog	Robinson
Holland	Schuenemann
Howard	Segrist
Hull	Shell
Hunt	Skiles
Johnson of Ellis	Smith of Frio
Johnson of Tarrant	Stinson
Kersey	Talbert
Kinard	Tarwater
Leonard	Taylor
Leyendecker	Thornberry
Lock	Thornton
Loggins	Turner
London	Vale
McAlister	Winfree
McDaniel	Wright

Nays—44

Allen	Lehman
Bailey	Little
Blankenship	Mays
Boyd	McNamara
Bray	Newell
Broadfoot	Oliver
Brown of Cherokee	Pace
Brown of Nacogdoches	Rhodes
Burkett	Roach
Coleman	Russell
Cornett	Smith of Hopkins
Crossley	Stoll
Davis of Upshur	Tennant
Faulkner	Vint
Hale	Waggoner
Harper	Weldon
Harrell of Lamar	Wells
Howington	Westbrook
Kennedy	White
Kern	Wilson
Kerr	Wood
Langdon	Worley

Absent

Chambers	Davis of Jasper
Colquitt	Dwyer

Felty	King
Hardeman	Monkhouse
Heflin	Voigt
Isaacks	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Fielden	Spencer

HOUSE BILL NO. 1040 ON THIRD READING

Mr. Reaves moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1040 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Alsup	Hardeman
Anderson	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Bastrop
Bell	Harrell of Lamar
Blankenship	Harris
Boethel	Hartzog
Bond	Holland
Boyd	Howington
Boyer	Hull
Bradford	Hunt
Bridgers	Isaacks
Broadfoot	Johnson of Ellis
Bundy	Johnson of Tarrant
Burney	Kerr
Cauthorn	Kersey
Celaya	Kinard
Chambers	King
Clark	Lehman
Cleveland	Leonard
Cockrell	Leyendecker
Coleman	Little
Colson, Mrs.	Lock
Corry	Loggins
Daniel	London
Davis of Upshur	Mays
Derden	McAlister
Dickison	McDaniel
Dickson	McDonald
Donaghey	McFarland
Dowell	McMurry
Faulkner	Mohrmann
Ferguson	Monkhouse
Fuchs	Montgomery
Galbreath	Morris
Gilmer	Nicholson
Gordon, Mrs.	Petsch
Hamilton	Pevehouse
Hankamer	Piner

Pope
Ragsdale
Reader of Bexar
Reader of Erath
Reaves
Reed
Riviere
Roach
Roberts
Robinson
Schuenemann
Segrist
Shell
Skiles
Smith of Frio
Smith of Hopkins

Stinson
Stoll
Talbert
Tarwater
Taylor
Thornberry
Thornton
Turner
Vale
Vint
Waggoner
White
Winfree
Worley
Wright

Nays—24

Bailey	McNamara
Bray	Newell
Brown of Cherokee	Oliver
Brown	Pace
of Nacogdoches	Rhodes
Burkett	Russell
Colquitt	Tennant
Cornett	Weldon
Crossley	Wells
Hale	Westbrook
Kennedy	Wilson
Kern	Wood
Langdon	

Absent

Allen	Goodman
Davis of Jasper	Heflin
Dwyer	Howard
Felty	Voigt

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Fielden	Spencer

The Speaker then laid House Bill No. 1040 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—90

Anderson	Bundy
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Celaya
Bell	Chambers
Blankenship	Clark
Boethel	Cleveland
Boyd	Cockrell
Boyer	Coleman
Bradford	Colson, Mrs.
Bridgers	Corry

Daniel	McAlister
Davis of Upshur	McDaniel
Derden	McDonald
Dickison	McFarland
Dickson	McMurry
Donaghey	Mohrmann
Dowell	Montgomery
Dwyer	Nicholson
Galbreath	Petsch
Gilmer	Pevehouse
Goodman	Piner
Gordon, Mrs.	Ragsdale
Hamilton	Reader of Bexar
Hankamer	Reader of Erath
Hardeman	Reaves
Hardin	Reed
Harp	Riviere
Harrell of Bastrop	Roberts
Harris	Robinson
Hartzog	Schuenemann
Holland	Segrist
Hull	Shell
Hunt	Skiles
Isaacks	Stinson
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Kersey	Thornberry
Kinard	Thornton
King	Turner
Leonard	Vale
Leyendecker	Voigt
Little	Winfree
Lock	Worley
Loggins	Wright
London	

Nays—43

Allen	Langdon
Alsup	Lehman
Bailey	Mays
Bond	McNamara
Bray	Newell
Broadfoot	Oliver
Brown of Cherokee	Pace
Brown	Rhodes
of Nacogdoches	Roach
Burkett	Russell
Colquitt	Smith of Hopkins
Cornett	Stoll
Crossley	Talbert
Faulkner	Tennant
Fuchs	Vint
Hale	Waggoner
Harper	Weldon
Harrell of Lamar	Wells
Howington	Westbrook
Kennedy	White
Kern	Wilson
Kerr	Wood

Absent

Davis of Jasper	Heflin
Felty	Howard

Monkhouse
Morris

Pope
Smith of Frio

Absent—Excused

Allison
Bradbury
Dean
Ferguson
Fielden

Keith
Smith
of Matagorda
Spencer

SENATE BILL NO. 11 ON THIRD READING

Mr. Donaghey moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Anderson	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Bastrop
Bell	Harris
Blankenship	Hartzog
Boethel	Holland
Bond	Hunt
Boyd	Isaacks
Boyer	Johnson of Ellis
Bradford	Johnson of Tarrant
Bridgers	Kersey
Bundy	Kinard
Burney	King
Cauthorn	Langdon
Celaya	Leonard
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Coleman	Loggins
Colson, Mrs.	London
Corry	Mays
Crossley	McAlister
Daniel	McDaniel
Davis of Upshur	McDonald
Derden	McFarland
Dickson	McMurry
Dickson	McNamara
Donaghey	Mohrmann
Dowell	Montgomery
Dwyer	Morris
Faulkner	Nicholson
Fuchs	Petsch
Galbreath	Pevehouse
Gilmer	Piner
Goodman	Pope
Gordon, Mrs.	Ragsdale
Hamilton	Reader of Bexar
Hankamer	Reader of Erath
Hardeman	Reed

Riviere	Taylor
Roach	Thornberry
Roberts	Thornton
Robinson	Turner
Russell	Vale
Schuenemann	Voigt
Segrist	Waggoner
Shell	Weldon
Smith of Frio	White
Smith of Hopkins	Wilson
Stinson	Winfree
Stoll	Worley
Talbert	Wright
Tarwater	

Nays—25

Allen	Kern
Alsup	Kerr
Bailey	Lehman
Bray	Newell
Broadfoot	Oliver
Brown of Cherokee	Pace
Burkett	Rhodes
Colquitt	Tennant
Cornett	Vint
Hale	Wells
Harrell of Lamar	Westbrook
Howington	Wood
Kennedy	

Present—Not Voting

Brown
of Nacogdoches

Absent

Bradbury	Howard
Chambers	Hull
Davis of Jasper	Monkhouse
Felty	Reaves
Heflin	Skiles

Absent—Excused

Allison	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

The Speaker then laid Senate Bill No. 11 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—78

Baker	Cauthorn
of Fort Bend	Celaya
Bell	Clark
Boyd	Cleveland
Boyer	Cockrell
Bradford	Coleman
Bridgers	Colson, Mrs.
Bundy	Corry
Burney	Daniel

Davis of Jasper	McAlister
Derden	McDaniel
Dickison	McDonald
Dickson	McFarland
Dwyer	McMurry
Felty	Mohrmann
Galbreath	Monkhouse
Gilmer	Montgomery
Goodman	Morris
Gordon, Mrs.	Newell
Hamilton	Petsch
Hankamer	Pevehouse
Hardeman	Pope
Harp	Reader of Bexar
Harper	Reader of Erath
Harrell of Bastrop	Reaves
Harris	Riviere
Heflin	Roberts
Howard	Robinson
Hull	Segrist
Hunt	Skiles
Isaacks	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Tarwater
Kersey	Thornberry
King	Thornton
Leonard	Turner
Leyendecker	Vale
Lock	Worley
Loggins	Wright
London	

Nays—44

Allen	Langdon
Alsup	Lehman
Bailey	McNamara
Blankenship	Oliver
Bond	Pace
Bray	Piner
Brown of Cherokee	Reed
Brown of Nacogdoches	Rhodes
Burkett	Roach
Colquitt	Russell
Cornett	Stinson
Crossley	Stoll
Davis of Upshur	Talbert
Faulkner	Tennant
Fuchs	Vint
Hale	Waggoner
Hardin	Weldon
Harrell of Lamar	Wells
Howington	Westbrook
Kennedy	White
Kern	Wilson
Kerr	Wood

Absent

Anderson	Donaghey
Baker of Grayson	Dowell
Boethel	Hartzog
Broadfoot	Kinard
Chambers	Little

Mays	Shell
Nicholson	Taylor
Ragsdale	Voigt
Schuenemann	Winfrée

Absent—Excused

Allison	Holland
Bradbury	Keith
Dean	Smith
Ferguson	of Matagorda
Fielden	Spencer

SENATE BILL NO. 313 ON SECOND READING

On motion of Mr. Stinson, the regular order of business was suspended, to take up, and have placed on its second reading, and passage to third reading, Senate Bill No. 313.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 313, A bill to be entitled "An Act providing for taxing the premium receipts of foreign assessment life and casualty companies now admitted to do business in Texas, under Chapter V, Title 78, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill No. 37, Chapter 40, Acts of 1929, First Called Session, Forty-first Legislature, as amended by Senate Bill No. 106, Chapter 60, Acts of 1929, Second Called Session, Forty-first Legislature, in the event any such company should hereafter reorganize, amend its charter or otherwise change its plan of operation so that it shall not be subject to the provisions of said Chapter V, Title 78, Revised Civil Statutes of Texas, as amended, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 313 ON THIRD READING

Mr. Stinson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 313 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Baker
Alsup	of Fort Bend
Anderson	Baker of Grayson
Bailey	Bell

Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Boyd	Lock
Boyer	Loggins
Bradford	London
Bray	Mays
Bridgers	McAlister
Broadfoot	McDaniel
Brown of Cherokee	McDonald
Bundy	McFarland
Burkett	McMurry
Burney	McNamara
Cauthorn	Monkhouse
Celaya	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Cockrell	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Corry	Ragsdale
Crossley	Reader of Bexar
Daniel	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Roach
Dickson	Roberts
Faulkner	Robinson
Galbreath	Russell
Gilmer	Schuenemann
Goodman	Segrist
Gordon, Mrs.	Shell
Hale	Skiles
Hamilton	Smith of Frio
Hankamer	Stinson
Hardeman	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Lamar	Tennant
Harris	Thornberry
Hartzog	Thornton
Holland	Turner
Howington	Vale
Hull	Vint
Hunt	Voigt
Isaacks	Waggoner
Johnson of Ellis	Weldon
Johnson of Tarrant	Wells
Kennedy	Westbrook
Kern	White
Kerr	Wilson
Kersey	Winfree
Kinard	Wood
King	Worley
Langdon	Wright
Lehman	

Nays—1

Rhodes

Present—Not Voting

Brown
of Nacogdoches

Absent

Davis of Jasper	Heflin
Donaghey	Howard
Dowell	Mohrmann
Dwyer	Oliver
Felty	Riviere
Fuchs	Smith of Hopkins
Harrell of Bastrop	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

The Speaker then laid Senate Bill No. 313 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Allen	Goodman
Alsup	Gordon, Mrs.
Anderson	Hale
Bailey	Hamilton
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Blankenship	Harper
Boethel	Harrell of Bastrop
Bond	Harrell of Lamar
Boyd	Harris
Boyer	Hartzog
Bradford	Holland
Bray	Howard
Bridgers	Howington
Bundy	Hull
Burney	Hunt
Cauthorn	Isaacks
Celaya	Johnson of Ellis
Clark	Johnson of Tarrant
Cleveland	Kennedy
Cockrell	Kern
Coleman	Kerr
Colson, Mrs.	Kersey
Cornett	Kinard
Crossley	King
Daniel	Langdon
Davis of Upshur	Lehman
Derden	Leonard
Dickison	Leyendecker
Dickson	Little
Dowell	Lock
Faulkner	Loggins
Galbreath	London
Gilmer	Mays

McAlister	Schuenemann
McDaniel	Segrist
McDonald	Shell
McFarland	Skiles
McMurry	Smith of Frio
McNamara	Smith of Hopkins
Monkhouse	Stinson
Montgomery	Stoll
Morris	Talbert
Newell	Tarwater
Nicholson	Taylor
Pace	Tennant
Petsch	Thornberry
Pevehouse	Thornton
Pope	Turner
Ragsdale	Vale
Reader of Bexar	Vint
Reader of Erath	Voigt
Reed	Weldon
Rhodes	Wells
Riviere	Wilson
Roach	Winfree
Roberts	Wood
Robinson	Worley
Russell	Wright

Nays—3

Brown of Cherokee Westbrook
Burkett

Present—Not Voting

Brown White
of Nacogdoches

Absent

Broadfoot	Fuchs
Chambers	Heflin
Colquitt	Mohrmann
Corry	Oliver
Davis of Jasper	Piner
Donaghey	Reaves
Dwyer	Waggoner
Felty	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 545 ON SECOND READING

On motion of Mr. Dickson, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 545.

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 545. A bill to be entitled "An Act to prescribe a privilege tax

for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the use within the State of Texas of liquefied gases and other liquid fuels as defined herein; to prescribe the manner and time of paying such tax and the duties of officials and others respecting such payment and collection; to provide for the licensing of users as defined herein; to fix a time when such tax and interest and penalties thereon become a lien upon the property of persons, firms, associations or corporations, subject to the payment of such tax and to provide for the enforcement of said lien; to provide for certain exemptions and for the disposition of the proceeds of such tax; and to provide penalties for the violation of the provisions herein, and declaring an emergency."

The bill was read second time.

Mr. Dickson offered the following amendment to the bill:

Amend House Bill No. 545 by inserting in the printed bill in line 30, between the words "which," and "exist", the following: "liquefy at certain temperatures and pressures but."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 545 was then passed to engrossment.

HOUSE BILL NO. 545 ON THIRD READING

Mr. Dickson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 545 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Allen	Bradford
Alsup	Bray
Bailey	Bridgers
Baker	Broadfoot
of Fort Bend	Brown of Cherokee
Baker of Grayson	Brown
Bell	of Nacogdoches
Blankenship	Bundy
Boethel	Burkett
Bond	Burney
Boyd	Cauthorn
Boyer	Celaya

Chambers	Mays
Clark	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Coleman	McFarland
Colquitt	McMurry
Colson, Mrs.	McNamara
Cornett	Mohrmann
Corry	Monkhouse
Crossley	Montgomery
Daniel	Morris
Dickson	Newell
Dickson	Nicholson
Dowell	Pace
Faulkner	Petsch
Felty	Pevehouse
Fielden	Piner
Fuchs	Pope
Galbreath	Reader of Bexar
Gilmer	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardeman	Roach
Hardin	Roberts
Harp	Robinson
Harrell of Bastrop	Russell
Harrell of Lamar	Segrist
Harris	Skiles
Hartzog	Smith of Frio
Heflin	Smith of Hopkins
Holland	Stinson
Howard	Stoll
Howington	Talbert
Hull	Tarwater
Hunt	Taylor
Isaacks	Tennant
Johnson of Ellis	Thornberry
Kennedy	Thornton
Kern	Turner
Kerr	Vale
Kersey	Vint
Kinard	Voigt
King	Waggoner
Langdon	Weldon
Lehman	Westbrook
Leonard	White
Leyendecker	Wilson
Little	Winfree
Lock	Wood
Loggins	Worley
London	

Absent

Anderson	Johnson of Tarrant
Davis of Jasper	Oliver
Davis of Upshur	Ragsdale
Derden	Schuenemann
Donaghey	Shell
Dwyer	Wells
Goodman	Wright
Harper	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer

The Speaker then laid House Bill No. 545 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Allen	Harrell of Bastrop
Alsup	Harrell of Lamar
Bailey	Harris
Baker	Hartzog
of Fort Bend	Heflin
Baker of Grayson	Holland
Bell	Howard
Blankenship	Howington
Boethel	Hull
Bond	Hunt
Boyd	Isaacks
Boyer	Johnson of Ellis
Bradford	Johnson of Tarrant
Bridgers	Kennedy
Brown of Cherokee	Kern
Brown	Kerr
of Nacogdoches	Kersey
Bundy	Kinard
Burkett	King
Burney	Langdon
Cauthorn	Lehman
Celaya	Leonard
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Coleman	Loggins
Colquitt	London
Colson, Mrs.	Mays
Cornett	McAlister
Corry	McDaniel
Crossley	McDonald
Daniel	McFarland
Davis of Upshur	McMurry
Dickson	McNamara
Dickson	Mohrmann
Dowell	Monkhouse
Faulkner	Montgomery
Felty	Morris
Fielden	Newell
Fuchs	Nicholson
Galbreath	Oliver
Gilmer	Pace
Goodman	Petsch
Gordon, Mrs.	Pevehouse
Hale	Piner
Hamilton	Pope
Hankamer	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves

Reed	Tennant
Rhodes	Thornberry
Riviere	Thornton
Roach	Turner
Roberts	Vale
Robinson	Vint
Russell	Voigt
Segrist	Waggoner
Skiles	Weldon
Smith of Frio	Westbrook
Smith of Hopkins	White
Stinson	Wilson
Stoll	Winfree
Talbert	Wood
Tarwater	Worley
Taylor	

Nays—3

Anderson	Shell
Bray	

Absent

Broadfoot	Hardeman
Chambers	Harper
Davis of Jasper	Ragsdale
Derden	Schuenemann
Donaghey	Wells
Dwyer	Wright

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer

SENATE BILL NO. 461 ON SECOND READING

On motion of Mr. Isaacks, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 461.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 461, A bill to be entitled "An Act providing that any person of good moral character who, on May 22, 1937, had been engaged in the practice of architecture in this State for a period of at least six (6) months prior to said date and who failed to obtain a registration certificate as provided for in Section 7 of Chapter 478, Acts of 1937, Forty-fifth Legislature, may have thirty (30) days from the date upon which this Act goes into effect in which to file with the Board of Architectural Examiners the affidavit, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 461 ON THIRD READING

Mr. Isaacks moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 461 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Allen	Hull
Alsup	Hunt
Anderson	Isaacks
Baker	Johnson of Ellis
of Fort Bend	Kennedy
Baker of Grayson	Kern
Bell	Kerr
Boethel	Kersey
Bond	Kinard
Bradford	King
Bray	Langdon
Bridgers	Lehman
Broadfoot	Leyendecker
Brown of Cherokee	Little
Brown	Lock
of Nacogdoches	Loggins
Bundy	Mays
Burkett	McAlister
Burney	McDaniel
Cauthorn	McDonald
Chambers	McFarland
Clark	McMurry
Cleveland	McNamara
Cockrell	Montgomery
Coleman	Newell
Colquitt	Nicholson
Colson, Mrs.	Oliver
Daniel	Pace
Derden	Piner
Dickison	Pope
Dowell	Reader of Bexar
Faulkner	Reader of Erath
Felty	Reaves
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Roach
Goodman	Roberts
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Skiles
Hankamer	Smith of Frio
Hardin	Stoll
Harp	Talbert
Harper	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Harris	Thornton
Holland	Turner
Howard	Vale
Howington	Voigt

Waggoner
Weldon
Wells
Westbrook
White

Wilson
Winfree
Wood
Worley
Wright

Nays—13

Bailey
Boyd
Cornett
Corry
Davis of Upshur
Hardeman
Heflin

Johnson of Tarrant
Petsch
Pevehouse
Schuenemann
Smith of Hopkins
Thornberry

Absent

Blankenship
Boyer
Celaya
Crossley
Davis of Jasper
Dickson
Donaghey
Dwyer
Hartzog
Leonard

London
Mohrmann
Monkhouse
Morris
Ragsdale
Riviere
Segrist
Shell
Stinson
Vint

Absent—Excused

Allison
Bradbury
Dean
Ferguson
Fielden

Keith
Smith
of Matagorda
Spencer

The Speaker then laid Senate Bill No. 461 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—109

Allen
Alsup
Anderson
Baker
of Fort Bend
Bell
Blankenship
Boethel
Bond
Boyer
Bradford
Bray
Bridgers
Brown of Cherokee
Brown
of Nacogdoches
Bundy
Burkett
Burney
Cauthorn
Chambers

Clark
Cleveland
Cockrell
Coleman
Colquitt
Colson, Mrs.
Cornett
Crossley
Daniel
Davis of Upshur
Derden
Dickison
Donaghey
Dowell
Dwyer
Faulkner
Felty
Fuchs
Galbreath
Gilmer
Goodman

Gordon, Mrs.
Hale
Hamilton
Hankamer
Hardeman
Harp
Harper
Harrell of Bastrop
Harrell of Lamar
Harris
Holland
Howard
Howington
Hull
Isaacks
Johnson of Ellis
Kennedy
Kern
Kerr
Kinard
King
Langdon
Lehman
Leyendecker
Little
Lock
Loggins
Mays
McAlister
McDaniel
McDonald
McFarland
McMurry
McNamara
Montgomery

Morris
Newell
Nicholson
Oliver
Pace
Piner
Reader of Erath
Reaves
Reed
Rhodes
Roach
Roberts
Robinson
Russell
Skiles
Smith of Frio
Stinson
Stoll
Talbert
Tarwater
Taylor
Tennant
Thornton
Turner
Vale
Waggoner
Weldon
Wells
Westbrook
White
Wilson
Winfree
Worley
Wright

Nays—15

Bailey
Boyd
Corry
Hardin
Heflin
Johnson of Tarrant
Kersey
Petsch

Pevehouse
Schuenemann
Shell
Smith of Hopkins
Thornberry
Voigt
Wood

Absent

Baker of Grayson
Broadfoot
Celaya
Davis of Jasper
Dickson
Hartzog
Hunt
Leonard
London

Mohrmann
Monkhouse
Pope
Ragsdale
Reader of Bexar
Riviere
Segrist
Vint

Absent—Excused

Allison
Bradbury
Dean
Ferguson
Fielden

Keith
Smith
of Matagorda
Spencer

HOUSE BILL NO. 1109 ON SECOND
READING

On motion of Mr. Reader of Bexar (on Mr. Felty's suspension), the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1109.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1109, A bill to be entitled "An Act amending House Bill No. 884 of the Regular Session of the Forty-sixth Legislature relating to the taking of collared peccary or javelina or their hides, and declaring an emergency."

The bill was read second time.

Mr. Reader of Bexar offered the following amendment to the bill:

Amend House Bill No. 1109, by adding the words "heretofore or hereafter" after the word "hides" in the last line of Section 1.

The amendment was adopted.

House Bill No. 1109 was then passed to engrossment.

HOUSE BILL NO. 1109 ON THIRD
READING

Mr. Reader of Bexar moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1109 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Alsup	Chambers
Anderson	Clark
Bailey	Cleveland
Baker	Cockrell
of Fort Bend	Coleman
Bell	Colquitt
Blankenship	Colson, Mrs.
Boethel	Cornett
Bond	Crossley
Boyd	Daniel
Boyer	Derden
Bradford	Dickison
Bray	Dowell
Bundy	Dwyer
Burkett	Faulkner
Burney	Felty
Cauthorn	Fuchs
Celaya	Galbreath

Gilmer	Montgomery
Goodman	Morris
Gordon, Mrs.	Newell
Hale	Nicholson
Hamilton	Oliver
Hankamer	Pace
Hardin	Pevehouse
Harp	Piner
Harper	Pope
Harrell of Bastrop	Reader of Bexar
Harrell of Lamar	Reader of Erath
Harris	Reed
Heflin	Rhodes
Holland	Riviere
Howard	Roach
Howington	Roberts
Hull	Robinson
Hunt	Russell
Johnson of Ellis	Schuenemann
Johnson of Tarrant	Segrist
Kennedy	Skiles
Kern	Smith of Frio
Kerr	Smith of Hopkins
Kersey	Stinson
King	Tarwater
Langdon	Taylor
Lehman	Tennant
Leyendecker	Thornberry
Little	Thornton
Lock	Turner
Loggins	Voigt
London	Waggoner
Mays	Weldon
McAlister	Wells
McDaniel	Westbrook
McDonald	White
McMurry	Wilson
McNamara	Winfree
Mohrmann	Wood
Monkhouse	Worley

Nays—5

Allen	Petsch
Corry	Talbert
Davis of Upshur	

Present—Not Voting

Brown
of Nacogdoches

Absent

Baker of Grayson	Kinard
Bridgers	Leonard
Broadfoot	McFarland
Brown of Cherokee	Ragsdale
Davis of Jasper	Reaves
Dickson	Shell
Donaghey	Stoll
Hardeman	Vale
Hartzog	Vint
Isaacks	Wright

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

The Speaker then laid House Bill No. 1109 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Alsup	Heflin
Anderson	Holland
Bailey	Howard
Baker	Howington
of Fort Bend	Hull
Bell	Hunt
Blankenship	Johnson of Ellis
Boethel	Johnson of Tarrant
Bond	Kennedy
Boyd	Kern
Boyer	Kerr
Bradford	Kersey
Bray	King
Bundy	Langdon
Burkett	Lehman
Burney	Leyendecker
Cauthorn	Little
Celaya	Lock
Chambers	Loggins
Clark	London
Cleveland	Mays
Cockrell	McAlister
Coleman	McDaniel
Colquitt	McDonald
Colson, Mrs.	McMurry
Cornett	McNamara
Crossley	Mohrmann
Daniel	Monkhouse
Derden	Montgomery
Dickison	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Pace
Fuchs	Pevehouse
Galbreath	Piner
Gilmer	Pope
Goodman	Reader of Bexar
Gordon, Mrs.	Reader of Erath
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardin	Roach
Harp	Roberts
Harper	Robinson
Harrell of Bastrop	Russell
Harrell of Lamar	Schuenemann
Harris	Segrist

Skiles	Voigt
Smith of Frio	Waggoner
Smith of Hopkins	Weldon
Stinson	Wells
Tarwater	Westbrook
Taylor	White
Tennant	Wilson
Thornberry	Winfree
Thornton	Wood
Turner	Worley

Nays—5

Allen	Petsch
Corry	Talbert
Davis of Upshur	

Present—Not Voting

Brown
of Nacogdoches

Absent

Baker of Grayson	Kinard
Bridgers	Leonard
Broadfoot	McFarland
Brown of Cherokee	Ragsdale
Davis of Jasper	Reaves
Dickson	Shell
Donaghey	Stoll
Hardeman	Vale
Hartzog	Vint
Isaacks	Wright

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 641 ON SECOND READING

On motion of Mr. Pope, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 641.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 641, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1940, and August 31, 1941, to aid said District in making the necessary surveys and preparing the necessary plans for its construction program, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following committee amendment to the bill:

Amend House Bill No. 641, by striking out all below the enacting clause, and inserting in lieu thereof, the following:

"Section 1. There is hereby appropriated for the use of the Nueces River Conservation and Reclamation District out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Six Thousand (\$6,000.00) Dollars which may be withdrawn from time to time on vouchers signed by the General Manager and Treasurer of the District, upon which the State Comptroller shall draw his warrant upon the Treasurer of the State of Texas; said funds are to be used under the direction of and only with the consent of the Directors of the Nueces River Conservation and Reclamation District, a district created by the provisions of Chapter 427, Acts of the First Called Session of the Forty-fourth Legislature. The money herein appropriated is intended only as a loan to the Nueces River Conservation and Reclamation District and is to be repaid to the General Fund of this State by said District out of the first revenue received by said District.

Section 2. The fact that a vast area of public and private lands, roads, homes, houses and lives are periodically subjected to loss or destruction by flood waters of the Nueces River watershed, and the further fact that it is necessary to make surveys and prepare plans before the Nueces River Conservation and Reclamation District can begin the construction of works for the prevention of such floods, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall take effect from and after the date of its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 641 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 641 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 641 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—91

Anderson	Kinard
Baker	King
of Fort Bend	Lehman
Bell	Leyendecker
Boethel	Little
Bond	Lock
Boyd	Loggins
Boyer	London
Bradford	Mays
Bridgers	McAlister
Bundy	McDaniel
Burney	McDonald
Cauthorn	McMurry
Celaya	Mohrmann
Chambers	Montgomery
Clark	Morris
Cleveland	Pevehouse
Cockrell	Piner
Coleman	Pope
Colson, Mrs.	Ragsdale
Daniel	Reader of Bexar
Derden	Reader of Erath
Dickison	Reaves
Dickson	Reed
Dwyer	Riviere
Felty	Roach
Galbreath	Roberts
Gilmer	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Segrist
Hamilton	Shell
Hankamer	Smith of Frio
Hardeman	Smith of Hopkins
Hardin	Stinson
Harp	Talbert
Harper	Tarwater
Harris	Taylor
Hartzog	Thornberry
Holland	Thornton
Howard	Turner
Hull	Vale
Isaacks	Voigt
Johnson of Ellis	Waggoner
Johnson of Tarrant	Winfree
Kern	Worley
Kersey	Wright

Nays—35

Allen	Kerr
Bailey	Langdon
Bray	McNamara
Brown	Newell
of Nacogdoches	Oliver
Burkett	Pace
Colquitt	Rhodes
Cornett	Russell
Corry	Skiles
Crossley	Stoll
Davis of Upshur	Tennant
Faulkner	Vint
Fuchs	Weldon
Hale	Wells
Harrell of Lamar	Westbrook
Howington	White
Hunt	Wilson
Kennedy	Wood

Absent

Alsup	Harrell of Bastrop
Baker of Grayson	Heflin
Blankenship	Leonard
Broadfoot	McFarland
Brown of Cherokee	Monkhouse
Davis of Jasper	Nicholson
Donaghey	Petsch
Dowell	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 567 ON SECOND READING

On motion of Mr. Reed, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 567.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 567, A bill to be entitled "An Act to provide for the creation of a Commission on Uniform State Laws, the appointment of Commissioners thereto, defining the duties thereof, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 567, by striking out Section 4, and substituting in lieu thereof, the following:

"Section 4. It shall be the duty of this Commission to promote uniform-

ity in State laws, upon all subjects where uniformity may be deemed desirable and practicable, and said Commission may make recommendations to the Legislature of this State on this subject."

The amendment was adopted.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 567, by adding a new Section 5, and renumbering present Sections 5 and 6 accordingly.

"Section 5. No expense shall ever be incurred by this Commission, and no Commissioner or employee shall ever be entitled to receive a salary or per diem."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 567 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 567 ON THIRD READING

Mr. Reed moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 567 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—88

Allen	Dickison
Alsup	Faulkner
Baker	Galbreath
of Fort Bend	Gilmer
Bell	Gordon, Mrs.
Blankenship	Hamilton
Bond	Hankamer
Boyd	Hardeman
Royer	Harp
Bradford	Harper
Bridgers	Harrell of Bastrop
Brown	Harris
of Nacogdoches	Holland
Bundy	Howard
Burney	Hull
Cauthorn	Isaacks
Clark	Johnson of Ellis
Cleveland	Johnson of Tarrant
Cockrell	Kennedy
Colquitt	Kern
Colson, Mrs.	Kerr
Daniel	Kersey
Derden	King

Langdon	Roberts
Lehman	Robinson
Leonard	Russell
Leyendecker	Segrist
Lock	Skiles
Loggins	Smith of Frio
McAlister	Smith of Hopkins
McDaniel	Stinson
McDonald	Stoll
McFarland	Talbert
McMurry	Taylor
McNamara	Tennant
Newell	Thornberry
Pace	Turner
Petsch	Vale
Piner	Waggoner
Pope	Weldon
Reader of Erath	Wells
Reed	White
Rhodes	Wilson
Riviere	Wood
Roach	Worley

Nays—33

Anderson	Heflin
Bailey	Howington
Bray	Hunt
Brown of Cherokee	London
Burkett	Mohrmann
Chambers	Montgomery
Coleman	Morris
Cornett	Nicholson
Corry	Oliver
Crossley	Pevehouse
Davis of Upshur	Reaves
Dickson	Schuenemann
Dowell	Tarwater
Felty	Thornton
Hale	Westbrook
Hardin	Wright
Harrell of Lamar	

Absent

Baker of Grayson	Kinard
Boethel	Little
Broadfoot	Mays
Celaya	Monkhouse
Davis of Jasper	Ragsdale
Donaghey	Reader of Bexar
Dwyer	Shell
Fuchs	Vint
Goodman	Voigt
Hartzog	Winfree

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

HOUSE BILL NO. 425 ON SECOND READING

Mr. Kersey moved that the regular order of business be suspended, to take up, and have placed on its second reading, and passage to engrossment, House Bill No. 425.

The motion prevailed by the following vote:

Yeas—70

Anderson	Kersey
Bailey	Kinard
Baker of Grayson	King
Blankenship	Langdon
Bond	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	Mays
Bundy	McAlister
Burkett	McFarland
Cauthorn	McMurry
Chambers	McNamara
Coleman	Morris
Cornett	Nicholson
Daniel	Piner
Davis of Jasper	Reader of Bexar
Dickson	Reader of Erath
Dowell	Riviere
Dwyer	Robinson
Faulkner	Russell
Felty	Smith of Frio
Galbreath	Smith of Hopkins
Gilmer	Talbert
Goodman	Tennant
Harp	Thornberry
Harrell of Bastrop	Vale
Harrell of Lamar	Waggoner
Harris	Weldon
Holland	Wells
Hull	Westbrook
Hunt	White
Johnson of Ellis	Wilson
Kennedy	Winfree
Kern	Wood
Kerr	Wright

Nays—55

Allen	Colquitt
Alsup	Colson, Mrs.
Baker	Corry
of Fort Bend	Davis of Upshur
Bell	Derden
Boyd	Dickson
Boyer	Fuchs
Bradford	Hale
Bray	Hamilton
Burney	Hankamer
Clark	Hardeman
Cleveland	Heflin
Cockrell	Howard

Howington	Reed
Johnson of Tarrant	Rhodes
Lehman	Roach
Leyendecker	Roberts
Little	Schuenemann
McDaniel	Segrist
McDonald	Shell
Mohrmann	Skiles
Newell	Stinson
Oliver	Stoll
Pace	Taylor
Petsch	Thornton
Pevehouse	Turner
Ragsdale	Vint
Reaves	Worley

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Isaacks
Celaya	Leonard
Crossley	Monkhouse
Donaghey	Montgomery
Gordon, Mrs.	Pope
Hardin	Tarwater
Harper	Voigt
Hartzog	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 425, A bill to be entitled "An Act prohibiting a freight train to consist of more than seventy cars exclusive of caboose, to be run on any Texas railroad; prohibiting a passenger train to consist of more than fourteen cars to be run on any Texas railroad; providing for a penalty for violation of laws, and declaring an emergency."

The bill was read second time.

Mr. Lehman moved that further consideration of House Bill No. 425 be postponed until next June 12.

Mr. Anderson moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—62

Anderson	Bell
Baker of Grayson	Boyd

Bray	Lock
Bridgers	London
Broadfoot	Mays
Brown of Cherokee	McAlister
Burkett	McDaniel
Cauthorn	McMurry
Chambers	McNamara
Cornett	Morris
Daniel	Nicholson
Dickison	Piner
Dwyer	Pope
Faulkner	Reader of Bexar
Galbreath	Reader of Erath
Gilmer	Riviere
Hale	Robinson
Hardin	Russell
Harrell of Bastrop	Smith of Hopkins
Harris	Talbert
Holland	Tennant
Hull	Thornberry
Isaacks	Vale
Johnson of Ellis	Voigt
Kennedy	Waggoner
Kern	Weldon
Kerr	Wells
Kersey	White
Kinard	Wilson
King	Winfree
Langdon	Wood

Nays—66

Allen	Howard
Alsup	Howington
Bailey	Hunt
Baker	Johnson of Tarrant
of Fort Bend	Lehman
Blankenship	Leyendecker
Bradford	Loggins
Bundy	McDonald
Burney	McFarland
Clark	Mohrmann
Cleveland	Newell
Cockrell	Oliver
Coleman	Pace
Colquitt	Petsch
Colson, Mrs.	Pevehouse
Corry	Ragsdale
Crossley	Reaves
Davis of Upshur	Reed
Derden	Rhodes
Dickson	Roach
Dowell	Roberts
Felty	Schuenemann
Fielden	Segrist
Fuchs	Shell
Hamilton	Skiles
Hankamer	Smith of Frio
Hardeman	Stinson
Harp	Stoll
Harper	Tarwater
Harrell of Lamar	Taylor
Hartzog	Thornton
Heflin	Turner

Vint
Worley

Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Gordon, Mrs.
Bond	Leonard
Boyer	Little
Celaya	Monkhouse
Davis of Jasper	Montgomery
Donaghey	Westbrook
Goodman	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer

Question then recurring on the motion to postpone further consideration of House Bill No. 425 until next June 12, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—63

Allen	Howington
Alsup	Hunt
Baker	Johnson of Tarrant
of Fort Bend	Lehman
Bond	Leyendecker
Bradford	Loggins
Bray	McDaniel
Burney	McDonald
Clark	Mohrmann
Cleveland	Newell
Cockrell	Oliver
Coleman	Pace
Colquitt	Petsch
Colson, Mrs.	Pevehouse
Corry	Ragsdale
Crossley	Reader of Erath
Davis of Jasper	Reaves
Davis of Upshur	Reed
Derden	Rhodes
Dickson	Roach
Dowell	Roberts
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Hale	Skiles
Hamilton	Stinson
Hankamer	Stoll
Hardeman	Thornton
Harris	Turner
Hartzog	Vint
Heflin	Voigt
Howard	Worley

Nays—70

Anderson	Langdon
Bailey	Little
Baker of Grayson	Lock
Bell	London
Boyd	Mays
Boyer	McAlister
Bridgers	McFarland
Broadfoot	McMurry
Brown of Cherokee	McNamara
Burkett	Montgomery
Cauthorn	Morris
Chambers	Nicholson
Cornett	Piner
Daniel	Pope
Dickison	Reader of Bexar
Dwyer	Riviere
Faulkner	Robinson
Felty	Russell
Galbreath	Smith of Frio
Gilmer	Smith of Hopkins
Gordon, Mrs.	Talbert
Hardin	Tarwater
Harp	Taylor
Harper	Tennant
Harrell of Bastrop	Thornberry
Harrell of Lamar	Vale
Holland	Waggoner
Hull	Weldon
Isaacks	Wells
Johnson of Ellis	Westbrook
Kennedy	White
Kern	Wilson
Kerr	Winfree
Kersey	Wood
Kinard	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Blankenship	Goodman
Boethel	King
Bundy	Leonard
Celaya	Monkhouse
Donaghey	

Absent—Excused

Allison	Smith
Bradbury	of Matagorda
Dean	Spencer
Keith	

Mr. Baker of Fort Bend moved that House Bill No. 425 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—55

Allen	Hunt
Alsup	Johnson of Tarrant
Baker	Lehman
of Fort Bend	Leyendecker
Bell	Loggins
Bond	McDaniel
Bradford	McDonald
Burney	Mohrmann
Clark	Newell
Cleveland	Oliver
Cockrell	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Reader of Erath
Corry	Reaves
Crossley	Reed
Davis of Jasper	Rhodes
Derden	Roach
Dickson	Roberts
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Hamilton	Skiles
Hankamer	Stinson
Hardeman	Thornton
Hardin	Turner
Hartzog	Vint
Howington	Worley

Nays—69

Anderson	Heflin
Bailey	Holland
Baker of Grayson	Isaacks
Boyd	Johnson of Ellis
Boyer	Kennedy
Bray	Kern
Bridgers	Kersey
Broadfoot	King
Brown of Cherokee	Langdon
Bundy	Lock
Burkett	London
Cauthorn	Mays
Chambers	McAlister
Cornett	McMurry
Dickison	McNamara
Dowell	Morris
Faulkner	Nicholson
Felty	Piner
Galbreath	Pope
Gilmer	Reader of Bexar
Goodman	Riviere
Gordon, Mrs.	Robinson
Hale	Russell
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Bastrop	Stoll
Harrell of Lamar	Talbert
Harris	Tarwater

Taylor	Westbrook
Tennant	White
Thornberry	Wilson
Vale	Winfree
Waggoner	Wood
Weldon	Wright
Wells	

Present—Not Voting

Brown
of Nacogdoches

Absent

Blankenship	Kerr
Boethel	Kinard
Bradbury	Leonard
Celaya	Little
Daniel	McFarland
Davis of Upshur	Monkhouse
Donaghey	Montgomery
Dwyer	Ragsdale
Howard	Voigt
Hull	

Absent—Excused

Allison	Smith
Dean	of Matagorda
Keith	Spencer

Question—Shall House Bill No. 425 pass to engrossment?

REASON FOR VOTE

I voted against House Bill No. 425 because I do not believe in cutting down the load limit of trains or trucks to the extent that it will raise the price of transportation in face of the much needed reduction of Texas freight rates.

BURNEY.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 1113

Mr. Dwyer offered the following resolution:

H. C. R. No. 170, Authorizing certain correction in House Bill No. 1113.

Whereas, House Bill No. 1113 has passed the House and Senate; and

Whereas, In Section 1, line 1, of said House Bill No. 1113 the following intended words were inadvertently omitted: "That Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-sixth Legislature, be amended so as hereafter to read, as follows"; now, therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House

be directed to insert the above omission.

The resolution was read second time, and was adopted.

GRANTING USE OF THE HALL OF THE HOUSE

Mr. Baker of Grayson offered the following resolution:

H. S. R. No. 298, Granting use of the Hall of the House.

Whereas, One hundred and fifty citizens of the City of Whitesboro and Grayson County, Texas, will be in Austin on May 30; and

Whereas, Such citizens are on their annual tour of the State with the theme and purpose of securing and maintaining a better understanding and knowledge of the entire State; and

Whereas, Such citizens desire the use of the Hall of the House of Representatives for the purpose of making a radio broadcast over the Texas State Network; and

Whereas, Such program is to be dedicated to the theme of a "Better and Closer Understanding Between the People of the Various Sections of the State of Texas"; now, therefore, be it

Resolved by the House of Representatives of the Forty-sixth Legislature, That the delegation of citizens from Whitesboro, Texas, be, and they are hereby authorized to use the Hall of the House on May 30, from 1:00 to 1:30 p. m., for the purpose of broadcasting a message of friendly co-operation to all sections of the State.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 195 WITH SENATE AMENDMENTS

Mr. Loggins called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 195, A bill to be entitled "An Act defining and regulating the practice of chiropody in the State of Texas; providing for the creation of the State Board of Chiropody Examiners and prescribing their powers and duties; providing for the examination and licensing of chiropodists and the recording of licenses issued to chiropodists and for the annual registration of licensed chiropodists; providing grounds upon which such licenses may be suspended or revoked

and the procedure to be followed in suspending or revoking same; etc., and declaring an emergency."

Mr. Loggins moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 33

Mr. Davis of Jasper submitted the following Conference Committee Report on Senate Bill No. 33:

Austin, Texas, May 25, 1939.

Committee Room,

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the difference between the Senate and House on Senate Bill No. 33, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said Senate Bill No. 33 be adopted in the form hereto attached.

Respectfully submitted,

COTTEN,
SHIVERS,
PACE,
BURNS,
REDDITT,

On the part of the Senate.

DAVIS of Jasper,
LOCK,
BOND,
FERGUSON,
ALSUP,

On the part of the House.

S. B. No. 33

A BILL

To Be Entitled

An Act to require all purchasers of trees and timber in the form of logs or pulp wood, to obtain a bill of sale therefor from the seller; providing for payment of notarial and filing fees; providing that all purchasers of staves or cross ties not securing a bill of sale or deed to same from the seller shall file a verified statement with the County Clerk of the county in which

the land from which said staves or cross ties were cut is situated, containing number and description of said staves or cross ties; providing that the provisions of this Act shall not apply to the sale of finished lumber, cedar staves, posts, or wood; providing what shall be contained in such bill of sale; providing penalties for violation of this Act, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Every person, firm, partnership or corporation shall require, before purchasing any trees or timber in the form of logs or pulp wood, a bill of sale therefor to be executed and acknowledged by the seller, in the manner required by law for registration thereof, and such bill of sale shall contain the name and address of such seller and purchaser, a description of the survey or tract of land from which such logs or pulp wood were cut, the number of logs or pulp wood, and the markings, if any, thereon; provided, further that any notarial, filing fees, or other expenses in connection with such Bill of Sale, shall be assumed and paid by the purchaser; provided, however, that a purchaser of staves or cross ties not securing a Bill of Sale or deed to same shall on or before the tenth day of each succeeding month from date of purchase file with the County Clerk of the county in which the land from which said staves or cross ties were cut, is situated, a verified statement containing among other things the name and address of the seller and purchaser, a description of the survey or tract of land from which such staves or cross ties, or any of them, were cut, the number of staves or cross ties and the markings, if any, thereon contained, which verified statement shall be kept by the County Clerk as a record for public inspection for a period of not less than two years, and for which a filing fee not exceeding ten cents shall be charged. The provisions of this Act shall not apply to the sale of finished lumber or cedar staves, nor shall the same apply to wood or posts.

Sec. 2. Every seller and purchaser who fails to see that such bill of sale as above provided for is given in any such sale, or any purchaser not securing a bill of sale who fails to file the statement as provided for herein-

above, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not to exceed One Hundred (\$100.00) Dollars, or imprisonment of not more than thirty (30) days in jail in the county jail, or both.

Sec. 3. The fact that there is no such law in the State requiring persons dealing in logs or pulp wood to secure a bill of sale before making purchases, and the further fact that certain abuses have grown up in this connection, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Davis of Jasper, the Report was adopted by the following vote:

Yeas—114

Allen	Dwyer
Alsup	Faulkner
Anderson	Felty
Bailey	Fuchs
Baker	Galbreath
of Fort Bend	Goodman
Baker of Grayson	Gordon, Mrs.
Blankenship	Hale
Bond	Hamilton
Boyd	Hankamer
Boyer	Harper
Bradford	Harrell of Bastrop
Bridgers	Harrell of Lamar
Broadfoot	Harris
Brown of Cherokee	Heflin
Brown	Holland
of Nacogdoches	Howard
Bundy	Howington
Burkett	Hull
Cauthorn	Hunt
Celaya	Johnson of Ellis
Chambers	Johnson of Tarrant
Clark	Kern
Cleveland	Kersey
Cockrell	Kinard
Coleman	King
Colquitt	Langdon
Colson, Mrs.	Leonard
Cornett	Leyendecker
Corry	Little
Crossley	Lock
Daniel	Loggins
Davis of Jasper	London
Davis of Upshur	Mays
Derden	McAlister
Dickison	McDaniel
Dowell	McFarland

McMurry	Schuenemann
McNamara	Shell
Monkhouse	Skiles
Montgomery	Smith of Frio
Morris	Stinson
Newell	Stoll
Nicholson	Taylor
Pace	Thornberry
Petsch	Thornton
Piner	Turner
Pope	Vale
Reader of Bexar	Voigt
Reader of Erath	Waggoner
Reaves	Weldon
Reed	Wells
Rhodes	White
Riviere	Wilson
Roach	Winfree
Roberts	Wood
Robinson	Worley
Russell	Wright

Nays—13

Bell	McDonald
Bray	Mohrmann
Dickson	Pevehouse
Hardin	Smith of Hopkins
Kennedy	Talbert
Kerr	Tarwater
Lehman	

Absent

Boethel	Isaacks
Burney	Oliver
Donaghey	Ragsdale
Gilmer	Segrist
Hardeman	Tennant
Harp	Vint
Hartzog	Westbrook

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

RELATIVE TO ADDITIONAL
EXPENSE ACCOUNT OF
MEMBERS

Mr. Leonard offered the following resolution:

H. S. R. No. 299, Relative to additional expense account of Members.

Whereas, The Regular Session of the Forty-sixth Legislature is existing over for an indefinite number of days beyond the one hundred and twenty day limit; and

Whereas, The various Members of the House of Representatives are burdened with additional expenses,

particularly for telephone and telegraph service as well as for stamps; now, therefore, be it

Resolved, That the expense account of each Member of the House of Representatives be, and it is, hereby extended to allow an additional Fifty (\$50.00) Dollars over and above any allowance made heretofore; that, out of this additional Fifty (\$50.00) Dollars the Contingent Expense Committee may in its discretion allow only Nine (\$9.00) Dollars for stamps, and the remainder for telegraph and telephone service and stationery and supplies.

The resolution was read second time, and was adopted.

SPECIAL ORDER SET

Mr. Goodman moved that House Bill No. 751 be set for special order at 10:30 o'clock a. m., next Friday.

The motion prevailed by the following vote:

Yeas—87

Alsup	Gilmer
Anderson	Goodman
Bailey	Hale
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bond	Harp
Boyd	Harper
Boyer	Harrell of Bastrop
Bradford	Hartzog
Bray	Heflin
Bridgers	Howard
Brown	Howington
of Nacogdoches	Hull
Bundy	Hunt
Burkett	Johnson of Ellis
Burney	Johnson of Tarrant
Cauthorn	Kennedy
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leonard
Colquitt	Leyendecker
Colson, Mrs.	Lock
Cornett	McAlister
Crossley	McDaniel
Davis of Jasper	McDonald
Dickison	McMurry
Dowell	Mohrmann
Dwyer	Montgomery
Faulkner	Newell
Felty	Nicholson
Galbreath	Pace

Petsch	Smith of Hopkins
Piner	Taylor
Ragsdale	Thornberry
Reader of Bexar	Thornton
Reader of Erath	Vale
Reaves	Vint
Riviere	White
Schuenemann	Winfree
Segrist	Worley
Smith of Frio	

Nays—42

Allen	Morris
Bell	Oliver
Broadfoot	Pevehouse
Brown of Cherokee	Reed
Corry	Rhodes
Derden	Roach
Dickson	Roberts
Ferguson	Robinson
Fielden	Russell
Fuchs	Skiles
Gordon, Mrs.	Stinson
Hamilton	Stoll
Harrell of Lamar	Talbert
Harris	Tarwater
Holland	Tennant
Kern	Turner
Kerr	Weldon
Little	Wells
London	Westbrook
Mays	Wilson
McNamara	Wood

Absent

Blankenship	McFarland
Boethel	Monkhouse
Daniel	Pope
Davis of Upshur	Shell
Donaghey	Voigt
Isaacks	Waggoner
Loggins	Wright

Absent—Excused

Allison	Smith
Bradbury	of Matagorda
Dean	Spencer
Keith	

Mr. Hull moved that the House adjourn until 10:00 o'clock a. m., next Wednesday.

Mr. Hardin moved that the House adjourn until 2:00 o'clock p. m., tomorrow.

Mr. Reader of Erath moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it was lost.

Question next recurring on the motion to adjourn until 2:00 o'clock p. m., tomorrow, it was lost.

Question then recurring on the motion to adjourn until 10:00 o'clock a. m., next Wednesday, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—65

Alsup	Kerr
Anderson	Kinard
Blankenship	Langdon
Boethel	Leonard
Boyer	Leyendecker
Bradford	Little
Bridgers	Loggins
Bundy	London
Cauthorn	Mays
Celaya	McAlister
Clark	McDaniel
Cockrell	McDonald
Colquitt	McMurry
Corry	Montgomery
Dean	Pace
Dickison	Piner
Dickson	Reader of Bexar
Dowell	Reed
Dwyer	Roberts
Faulkner	Russell
Ferguson	Schuenemann
Galbreath	Segrist
Goodman	Shell
Hankamer	Stoll
Harp	Talbert
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornton
Hartzog	Vale
Heflin	Vint
Howard	Voigt
Hull	Waggoner
Johnson of Tarrant	Winfree
Kennedy	

Nays—71

Allen	Coleman
Bailey	Colson, Mrs.
Baker	Cornett
of Fort Bend	Crossley
Baker of Grayson	Davis of Jasper
Bell	Derden
Bond	Felty
Boyd	Fuchs
Bray	Gilmer
Broadfoot	Gordon, Mrs.
Brown of Cherokee	Hale
Brown	Hamilton
of Nacogdoches	Hardeman
Burkett	Hardin
Burney	Harper
Chambers	Harris
Cleveland	Holland

Howington	Riviere
Hunt	Roach
Isaacks	Robinson
Johnson of Ellis	Skiles
Kern	Smith of Frio
Kersey	Smith of Hopkins
King	Stinson
Lehman	Tarwater
Lock	Taylor
McNamara	Thornberry
Mohrmann	Turner
Morris	Weldon
Newell	Wells
Oliver	Westbrook
Petsch	White
Pevehouse	Wilson
Pope	Wood
Reader of Erath	Worley
Reaves	Wright
Rhodes	

Absent

Daniel	Monkhouse
Davis of Upshur	Nicholson
Donaghey	Ragsdale
McFarland	

Absent—Excused

Allison	Smith
Bradbury	of Matagorda
Fielden	Spencer
Keith	

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 477, to the Committee on Judiciary.

Senate Bill No. 479, to the Committee on Game and Fisheries.

Senate Bill No. 480, to the Committee on Game and Fisheries.

Senate Bill No. 478, to the Committee on Highways and Motor Traffic.

BILLS AND RESOLUTIONS
SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 492, "An Act authorizing municipalities, political subdivisions, and taxing districts to effect a plan for the composition of their indebted-

ness under the provisions of the Federal Bankruptcy Laws enacted by the Congress of the United States, and declaring an emergency."

H. B. No. 1072, "An Act amending House Bill No. 813, making it unlawful to hunt, shoot, or kill any deer or wild turkey for a period of five (5) years in Somervell, Coryell, Hamilton, Erath, Hood, and Johnson Counties, Texas; providing penalty therefor, and declaring an emergency."

H. B. No. 1043, "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all of those counties of Texas coming within the brackets and population figures herein—specifically, in all those counties having not less than seventy-seven thousand (77,000) and not more than seventy-seven thousand, six hundred (77,600); and in all those counties having not less than fifty-one thousand, seven hundred seventy (51,770) and not more than fifty-one thousand, eight hundred (51,800); and in all those counties having not less than twelve thousand, one hundred ninety (12,190) and not more than twelve thousand, two hundred (12,200); and in all counties having not less than thirteen thousand, four hundred (13,400) and not more than thirteen thousand, five hundred (13,500), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1102, "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under General Law of Texas under commission form of government, such validating act to apply only in cities or towns located in a county having a population of not less than sixteen thousand, five hundred and twenty-five (16,525) and not more than sixteen thousand, nine hundred (16,900), and where such cities or towns in such counties have a population of not less than seven thousand, five hundred and sixty-nine (7,569), and not more than sixteen thousand, five hundred and sixty (16,560), according to the last preceding Federal Census, or any subsequent Federal Census,

providing exceptions, and declaring an emergency."

S. B. No. 194, "An Act to amend Article 5057a of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 12, Chapter 190, Acts of the Regular Session of the Fortieth Legislature, so as to provide for the manner in which fire insurance companies and casualty insurance companies incorporated under the laws of this State shall render their property for taxation; providing where such property shall be rendered for taxation, and declaring an emergency."

S. B. No. 121, "An Act amending Section 19, Subsection h of Senate Bill No. 5, Acts of the Forty-fourth Legislature, Second Called Session by thereto adding Subsection h-2 affecting the appointment and salaries of deputies in the offices of District Clerks, etc., and declaring an emergency."

S. B. No. 470, "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the then latest Federal Census, had a population of not fewer than seventeen hundred and twenty-one (1,721) and not more than seventeen hundred and fifty-one (1,751) inhabitants, fixing the maximum tax rate which may be levied for bond sinking fund purposes; etc., and declaring an emergency."

H. C. R. No. 164, Authorizing certain correction in House Bill No. 995.

H. C. R. No. 168, Inviting Hon. Jesse Jones and Amon Carter to address a Joint Session of the Legislature.

ADDITIONAL SIGNER OF HOUSE BILL NO. 1031

Mr. Lehman was authorized to sign House Bill No. 1031, as co-author of same.

HOUSE BILLS ON FIRST READING

Mr. Hartzog asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1116.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hartzog:

H. B. No. 1116, A bill to be entitled "An Act to require the inspection of shucked oysters produced outside of the State of Texas before the same may be offered for sale within the State of Texas; providing method and fees for such inspection; fixing a penalty, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Howington:

H. B. No. 1117, A bill to be entitled "An Act requiring any person hunting any quail in Comanche County upon the private lands of another person in Comanche County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit, providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act, and repealing all laws in conflict with any provision of this Act, insofar as they relate to Comanche County, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Goodman:

H. B. No. 1118, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the Andrews Independent School District, in the County of Andrews and the State of Texas, and other lands and territory adjacent thereto in Andrews County, to incorporate as an independent district for free school purposes only, to be hereafter known as the Andrews Independent School District, with all the powers, rights, privileges and duties of independent school districts formed by incorporation of territory for free

school purposes only; and to provide for an election on the question of divesting the old Andrews Independent School District of control of its public schools and title to school properties, and vesting the same in the new Andrews Independent School District and its Board of Trustees providing for a Board of School Trustees for the control and management of said independent school district; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the Trustees of the new district as herein provided may be created; providing that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid by a tax duly levied in the new district; providing other incidental provisions, and declaring an emergency."

Referred to the Committee on School Districts.

MOTION TO INTRODUCE CERTAIN BILL

Mr. Bray moved to introduce at this time, the following bill:

By Mr. Bray:

H. B. No. . . . , A bill to be entitled "An Act remitting fifty (50%) per cent of all State ad valorem taxes for a period of twenty-five (25) years to the County of Gregg account of grave public necessity occasioned by irregular flood stages of the Sabine River and its tributaries located within the County of Gregg, and declaring an emergency."

The motion was lost by the following vote:

Yeas—48

Baker	Gordon, Mrs.
of Fort Bend	Hardeman
Bond	Hardin
Boyd	Harp
Bray	Harrell of Bastrop
Brown of Cherokee	Harris
Bundy	Heflin
Burkett	Howard
Cauthorn	Hull
Cleveland	Isaacks
Cockrell	Johnson of Ellis
Colson, Mrs.	King
Derden	Leyendecker
Dickson	Little
Dowell	Lock
Gilmer	Mays

McMurry	Taylor
Montgomery	Thornberry
Petsch	Thornton
Pevehouse	Voigt
Reader of Bexar	Weldon
Riviere	Wood
Robinson	Worley
Schuenemann	Wright
Talbert	

Nays—57

Allen	Kerr
Alsup	Kersey
Bailey	Lehman
Baker of Grayson	London
Bell	McAlister
Boyer	McDaniel
Bradford	McDonald
Bridgers	McFarland
Brown	McNamara
of Nacogdoches	Mohrmann
Chambers	Morris
Clark	Newell
Colquitt	Nicholson
Cornett	Pace
Corry	Reader of Erath
Crossley	Reaves
Davis of Jasper	Rhodes
Faulkner	Roach
Galbreath	Roberts
Hale	Russell
Hamilton	Segrist
Harper	Smith of Hopkins
Harrell of Lamar	Stinson
Holland	Stoll
Howington	Tennant
Hunt	Vint
Johnson of Tarrant	Wells
Kennedy	Westbrook
Kern	Wilson

Absent

Anderson	Langdon
Blankenship	Leonard
Boethel	Loggins
Broadfoot	Monkhouse
Burney	Oliver
Celaya	Piner
Coleman	Pope
Daniel	Ragsdale
Davis of Upshur	Reed
Dean	Shell
Dickison	Skiles
Donaghey	Smith of Frio
Dwyer	Tarwater
Felty	Turner
Fuchs	Vale
Goodman	Waggoner
Hankamer	White
Hartzog	Winfree
Kinard	

Absent—Excused

Allison	Keith
Bradbury	Smith
Ferguson	of Matagorda
Fielden	Spencer

ADJOURNMENT

Mr. Celaya moved that the House adjourn until 10:00 o'clock a. m., next Wednesday.

Mr. Reader of Erath moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—66

Allen	Howington
Baker	Hunt
of Fort Bend	Isaacks
Baker of Grayson	Kern
Bell	Kersey
Bond	Little
Bray	Lock
Bridgers	McAlister
Broadfoot	McNamara
Brown of Cherokee	Mohrmann
Brown	Morris
of Nacogdoches	Newell
Burkett	Oliver
Burney	Petsch
Chambers	Pevehouse
Cleveland	Reader of Erath
Cockrell	Reaves
Coleman	Rhodes
Colquitt	Roach
Colson, Mrs.	Robinson
Cornett	Segrist
Crossley	Skiles
Davis of Jasper	Smith of Frio
Dowell	Smith of Hopkins
Felty	Stinson
Galbreath	Tarwater
Gilmer	Thornberry
Gordon, Mrs.	Waggoner
Hale	Wells
Hamilton	Westbrook
Hankamer	White
Hardeman	Wilson
Harper	Wood
Holland	Wright

Nays—68

Alsup	Boethel
Anderson	Boyd
Bailey	Boyer
Blankenship	Bradford

Bundy	Leyendecker
Cauthorn	Loggins
Celaya	London
Corry	Mays
Dean	McDaniel
Derden	McDonald
Dickison	McMurry
Dickson	Montgomery
Dwyer	Nicholson
Faulkner	Pace
Ferguson	Piner
Fuchs	Pope
Goodman	Ragsdale
Hardin	Reader of Bexar
Harp	Reed
Harrell of Bastrop	Roberts
Harrell of Lamar	Russell
Harris	Schuenemann
Hartzog	Shell
Heflin	Stoll
Hull	Talbert
Johnson of Ellis	Taylor
Johnson of Tarrant	Tennant
Kennedy	Thornton
Kerr	Turner
Kinard	Vale
King	Vint
Langdon	Weldon
Lehman	Winfree
Leonard	Worley

Absent

Clark	McFarland
Daniel	Monkhouse
Davis of Upshur	Riviere
Donaghey	Voigt
Howard	

Absent—Excused

Allison	Smith
Bradbury	of Matagorda
Fielden	Spencer
Keith	

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Wednesday, yeas and nays were demanded.

The roll of the House was called on the above motion, and a verification of the vote was requested.

Mr. Kersey moved a call of the House pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays," was again called and the verified vote resulted, as follows:

Yeas—67

Allen	Baker
Alsup	of Fort Bend
Anderson	Boethel

Bond	Leonard
Boyer	Leyendecker
Bradford	Loggins
Bundy	London
Cauthorn	Mays
Celaya	McAlister
Clark	McDaniel
Cockrell	McDonald
Colquitt	McMurry
Corry	Montgomery
Derden	Nicholson
Dickison	Pace
Dickson	Petsch
Dowell	Piner
Dwyer	Reader of Bexar
Faulkner	Reed
Galbreath	Riviere
Goodman	Roberts
Hankamer	Russell
Harp	Schuenemann
Harrell of Bastrop	Segrist
Harrell of Lamar	Shell
Hartzog	Skiles
Heflin	Stoll
Hull	Talbert
Johnson of Ellis	Thornton
Johnson of Tarrant	Vale
Kennedy	Vint
Kerr	Waggoner
Kinard	Winfree
Langdon	Wood

Nays—63

Bailey	Harris
Baker of Grayson	Howington
Bell	Hunt
Blankenship	Isaacks
Boyd	Kern
Bray	Kersey
Bridgers	King
Broadfoot	Lehman
Brown of Cherokee	Little
Brown	Lock
of Nacogdoches	Mohrmann
Burkett	Morris
Burney	Newell
Chambers	Oliver
Cleveland	Pevehouse
Coleman	Pope
Colson, Mrs.	Reader of Erath
Cornett	Reaves
Crossley	Rhodes
Davis of Jasper	Roach
Felty	Robinson
Fuchs	Smith of Frio
Gilmer	Smith of Hopkins
Gordon, Mrs.	Stinson
Hale	Tarwater
Hamilton	Taylor
Hardeman	Thornberry
Hardin	Turner
Harper	Weldon

Wells	Wilson
Westbrook	Worley
White	Wright

Absent

Daniel	McNamara
Davis of Upshur	Monkhouse
Donaghey	Ragsdale
Holland	Tennant
Howard	Voigt
McFarland	

Absent—Excused

Allison	Keith
Bradbury	Smith
Dean	of Matagorda
Ferguson	Spencer
Fielden	

(Pending the verification, Mr. Leonard occupied the Chair temporarily.)

(Speaker in the Chair.)

The Speaker announced that the motion to adjourn prevailed, and the House, accordingly, at 6:20 o'clock p. m., adjourned until 10:00 o'clock a. m., next Wednesday.

APPENDIX

Committee Room,

Austin, Texas, May 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 164, Instructing the Enrolling Clerk of the House to make certain changes in House Bill No. 995.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 29, 1939,

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 168, Inviting Hon. Jesse Jones and the Hon. Amon G. Carter to address the Legislature today, May 29th, 1939, at 11:00 o'clock.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 166, Inviting Robert L. Ripley, Believe it or not, to address a Joint Session of the Legislature on Monday, June 5th, at 11:00 o'clock, a. m.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 832, "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations, and undertakings of such housing authorities, and all proceedings, acts, and things heretofore undertaken, performed or done with reference thereto, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1102, "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances, annexing adjacent territory, or extending and prescribing the corporate limits of any incorporated city or town incorporated and functioning under general law of Texas under Commission form of government, such validating Act to apply only in cities or towns located in a county having a population of not less than sixteen thousand, five hundred and twenty-five (16,525) and not more than sixteen thousand, nine hundred (16,900), and where such cities or towns in such counties have a population of not less than seven thousand, five hundred and

sixty-nine (7,569), and not more than sixteen thousand, five hundred and sixty (16,560), according to the last preceding Federal Census, or any subsequent Federal Census, providing exceptions, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 834, "An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; to repeal Section 14-A of Chapter 462, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Second Called Session of the Forty-fifth Legislature; providing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 164, Instructing the Enrolling Clerk of the House to make certain changes in House Bill No. 995.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 168, Providing for a Joint Session of the Legislature to hear an address by the Hon. Jesse Jones, and the Hon. Amon G. Carter.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 77, Honoring Messrs. W. H. Westfall, G. W. Lacey, and N. L. Norton, who donated the granite for the Capitol Building of the State of Texas, by placing a bronze plaque in the corridor of the State Capitol Building.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 144, Granting permission to Mrs. Harvey Sharp of Wichita County, Texas, to sue the State of Texas and/or State Highway Department.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 354, "An Act to permit the killing and annihilating of fox in Erath and Hood Counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 999, "An Act to prohibit school trustees from soliciting, demanding, or suggesting the giving of a bribe for themselves, or for another; prescribing penalties for violation hereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1020, "An Act providing amount of payment to the County Executive Committee, in order to have name placed on ticket for Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1030, "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of Texas, 1925, as amended, by adding Section 1a. providing for salaries of heads of departments which may be appointed by the Commissioners' Courts of counties having a population of not less than nineteen thousand, eight hundred and fifty (19,850) and not more than nineteen thousand, eight hundred and ninety-five (19,895) inhabitants, according to the last Federal Census, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 531, "An Act providing for the use of trotlines in Lake Waco in McLennan County; prescribing when such lines may be used, and the kind of trotline that may be used; providing a penalty for violation of this Act; repealing conflicting laws, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 539, "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, relating to the Waco State Home, formerly known as the Home for Dependent and Neglected Children, so as to facilitate the administration of said Home and to provide for more effective training and care of children in need of it and for the placement of certain children of said Home in children's boarding homes at a rate not to exceed One Dollar (\$1.00) per day for each child so boarded; limiting the number of children to be boarded; provided that such homes shall be licensed by the Division of Child Welfare, State Board of Control; retaining with said superintendent control and custody of the child so placed as same exists with all other inmates of said Home; providing for removal from such boarding home upon complaint of the child; providing that children may be placed for adoption in homes approved by said Division of Child Welfare, State Board of Control, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1042, "An Act providing for compensation for County Auditor

in certain counties; providing mode and manner of payment of such salary, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1043, "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all of those counties of Texas coming within the brackets and population figures herein, specifically, in all those counties having not less than seventy-seven thousand (77,000) and not more than seventy-seven thousand, six hundred (77,600); and in all those counties having not less than fifty-one thousand, seven hundred and seventy (51,770) and not more than fifty-one thousand, eight hundred (51,800); and in all those counties having not less than twelve thousand, one hundred and ninety (12,190) and not more than twelve thousand, two hundred (12,200); and in all counties having not less than thirteen thousand, four hundred (13,400) and not more than thirteen thousand, five hundred (13,500); and in all counties having not less than twenty-seven thousand, five hundred (27,500) and not more than twenty-seven thousand, six hundred (27,600), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1059, "An Act to amend House Bill No. 137, Second Called Session, Forty-fifth Legislature, to provide that fish propagated because of expenditures made from the Medina Lake Fund may be distributed to any of the waters of Medina County, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1077, "An Act providing for more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having a population of not less than thirty-four thousand, six hundred (34,600) and not more than thirty-four thousand, seven hundred (34,700) and in all counties having a population of not less than thirteen thousand, eight hundred (13,800) and not more than thirteen thousand, nine hundred (13,900), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the General Law, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 614, "An Act amending Sections 14 and 18 of Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to provide for the filing of the birth record of an adopted child in the local registrar's office; and providing for a change in the birth record of a child when that child is legitimized by the marriage of its mother; and so as to provide for the registration of a birth or death that has not previously been registered, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 133, "An Act requiring any person hunting any quail outside

of the county of his residence, upon the private lands of another person in Erath, Hood, and Panola Counties, to first obtain and have in his possession a written permit; providing that the provision shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act, and repealing all laws in conflict with any provision of this Act, in so far as they relate to Erath, Hood, and Panola Counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 740, "An Act validating certain bonds in cities in the State of Texas operating under the General Laws of the State and located in counties having a population less than twenty-seven thousand, five hundred (27,500) and more than twenty-seven thousand, four hundred (27,400) according to the last preceding United States Census, which bonds have been heretofore voted subsequent to enactment of Chapter 382, Acts of the First Called Session of the Forty-fourth Legislature of Texas, 1931, and which bonds are payable out of the revenue to be derived from the operation of a municipal light and power distribution system; providing the Act shall not apply to any proceedings, levies or to any bonds or warrants issued thereunder, the validity of which has been contested or attacked in suit or litigation which is pending at the time this Act becomes a law, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 904, "An Act providing that all counties within this State, having a population of not less than fifty thousand (50,000) inhabitants nor more than seventy-eight thousand (78,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners' Courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1072, "An Act amending House Bill No. 813, making it unlawful to hunt, shoot, or kill any deer or wild turkey for a period of five (5) years in Somervell, Coryell, Hamilton, Erath, Hood, and Johnson Counties, Texas; providing penalty therefor, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 579, "An Act amending Sections 3, 4, 5, and 7 of Chapter 97, Acts of the Regular Session of the Forty-fourth Legislature of the State of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 652, "An Act amending Article 297 of the Penal Code of Texas, of 1925, as amended by Act of the Forty-fourth Legislature in 1935, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 741, "An Act changing the name of the Girls' Training School to be hereafter known as the Gainesville State School for Girls, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 794, "An Act amending Article 6686, Title 116, of the Revised Civil Statutes of the State of Texas, 1925, as amended, by adding a new paragraph providing for the issuance of in-transit permits by the State Highway Commission to any person, firm or corporation engaged in and using the drive-a-way system of transporting motor vehicles under their own power; providing the funds collected under the Act shall be placed in the General Revenue Fund subject only to legislative appropriation, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 493, "An Act amending Article 5986 of the Revised Civil Stat-

utes of Texas of 1925, eliminating certain provisions of said Article, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 492, "An Act authorizing municipalities, political subdivisions, and taxing districts to effect a plan for the composition of their indebtedness under the provisions of the Federal Bankruptcy Laws heretofore enacted by the Congress of the United States, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1005, "An Act making it unlawful to kill or attempt to kill deer or wild turkey or molest same in Red River County for a period of five (5) years; providing a penalty; repealing all conflicting laws, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1024, "An Act to amend Chapter 105 of the Special Laws passed by the Thirty-third Legislature at its Regular Session in 1913, as amended by Chapter 55, Special Laws of the Forty-third Legislature, Second Called Session, same being a road law for Jackson County, Texas, by adding thereto Sections 5a, 5b, and 5c; creating Road District No. 12, Jackson County, Texas; defining and specifically setting out its boundaries, including therein a portion of Road District No. 1, of said County; authorizing the Commissioners' Court to continue to levy an ad valorem tax

for the payment of the principal and interest on all outstanding bonds of the former district embraced within Road District No. 12 herein created; authorizing the issuance of bonds by the newly created road district in the manner and at such times as provided by the General Laws of Texas, for the issuance of bonds by road districts, and in conformity with Article 3, Section 52 of the State Constitution, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1049, "An Act providing for rural school supervisor in certain counties; providing for salary for such supervisor; providing traveling and other expenses for such supervisor; making said Act cumulative of all other laws and parts of laws regarding public education; prescribing duties of such supervisor, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, May 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1058, "An Act creating a Special Road Law for Orange County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of March 1, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the county officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions thereof; repealing all laws and

parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO GOVERNOR

May 29, 1939

House Concurrent Resolution No. 77.

House Concurrent Resolution No. 144.

House Bill No. 133.

House Bill No. 354.

House Bill No. 492.

House Bill No. 493.

House Bill No. 531.

House Bill No. 539.

House Bill No. 579.

House Bill No. 614.

House Bill No. 652.

House Bill No. 740.

House Bill No. 741.

House Bill No. 794.

House Bill No. 904.

House Bill No. 999.

House Bill No. 1020.

House Bill No. 1005.

House Bill No. 1024.

House Bill No. 1030.

House Bill No. 1042.

House Bill No. 1043.

House Bill No. 1049.

House Bill No. 1058.

House Bill No. 1059.

House Bill No. 1072.

House Bill No. 1077.

SEVENTY-SEVENTH DAY

(Wednesday, May 31, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bond
Allen	Boyd
Allison	Boyer
Alsup	Bradbury
Anderson	Bradford
Bailey	Bray
Baker	Bridgers
of Fort Bend	Broadfoot
Baker of Grayson	Brown of Cherokee
Bell	Brown
Blankenship	of Nacogdoches
Boethel	Bundy

Burkett	Loggins
Burney	London
Cauthorn	Mays
Celaya	McAlister
Chambers	McDaniel
Clark	McDonald
Cleveland	McFarland
Cockrell	McMurry
Coleman	McNamara
Colquitt	Mohrmann
Colson, Mrs.	Montgomery
Cornett	Morris
Corry	Newell
Crossley	Nicholson
Daniel	Oliver
Davis of Jasper	Pace
Davis of Upshur	Petsch
Derden	Pevehouse
Dickison	Piner
Dickson	Pope
Dowell	Ragsdale
Dwyer	Reader of Bexar
Faulkner	Reader of Erath
Felty	Reaves
Ferguson	Reed
Fielden	Rhodes
Fuchs	Riviere
Galbreath	Roach
Gilmer	Roberts
Goodman	Robinson
Gordon, Mrs.	Russell
Hale	Schuenemann
Hamilton	Segrist
Hankamer	Shell
Hardeman	Skiles
Hardin	Smith of Frio
Harp	Smith
Harper	of Matagorda
Harrell of Bastrop	Spencer
Harrell of Lamar	Stinson
Harris	Stoll
Hartzog	Talbert
Heflin	Tarwater
Holland	Taylor
Howington	Tennant
Hull	Thornberry
Hunt	Thornton
Isaacks	Turner
Johnson of Ellis	Vale
Johnson of Tarrant	Vint
Kennedy	Voigt
Kern	Waggoner
Kerr	Weldon
Kersey	Wells
Kinard	Westbrook
King	White
Langdon	Wilson
Lehman	Winfree
Leonard	Wood
Leyendecker	Worley
Little	Wright
Lock	